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U.S. GOVERNMENT
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FEDERAL REGISTER

Vol. 79 Monday,
No. 115 June 16, 2014

Pages 34213–34402

OFFICE OF THE FEDERAL REGISTER

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DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 6

Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2014 Tariff-Rate Quota Year

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document sets forth the revised appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2014 quota year reflecting the cumulative annual transfers from Appendix 1 to Appendix 2 for certain dairy product import licenses permanently surrendered by licensees or revoked by the Licensing Authority.

DATES: *Effective:* June 16, 2014.

FOR FURTHER INFORMATION CONTACT: Abdelsalam El-Farra, Dairy Import Licensing Program, Import Policies and Export Reporting Division, U.S. Department of Agriculture, at (202) 720–9439; or by email at: *abdelsalam.el-farra@fas.usda.gov.*

SUPPLEMENTARY INFORMATION: The Foreign Agricultural Service, under a delegation of authority from the Secretary of Agriculture, administers the Dairy Tariff-Rate Import Quota Licensing Regulation codified at 7 CFR 6.20 through 6.37 that provides for the issuance of licenses to import certain dairy articles under tariff-rate quotas (TRQs) as set forth in the Harmonized Tariff Schedule of the United States. These dairy articles may only be entered into the United States at the low-tier tariff by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country of origin. The Import Policies and Export Reporting Division, Foreign Agricultural Service, U.S. Department of Agriculture, issues these licenses and, in conjunction with U.S. Customs and Border Protection, U.S. Department of Homeland Security, monitors their use.

The regulation at 7 CFR 6.34(a) states: ''Whenever a historical license (Appendix 1) is not issued to an applicant pursuant to the provisions of 6.23, is permanently surrendered or is revoked by the Licensing Authority, the amount of such license will be transferred to Appendix 2.'' Section 6.34(b) provides that the cumulative annual transfers will be published in the **Federal Register**. Accordingly, this document sets forth the revised Appendices for the 2014 tariff-rate quota year.

List of Subjects in 7 CFR Part 6

Agricultural commodities, Cheese, Dairy products, Imports, Reporting and recordkeeping requirements.

Issued at Washington, DC, the 16th day of May 2014.

Ronald Lord,

Licensing Authority.

Accordingly, 7 CFR part 6 is amended as follows:

PART—IMPORT QUOTAS AND FEES

■ 1. The authority citation for Part 6, Subpart—Dairy Tariff-Rate Import Quota Licensing continues to read as follows:

Authority: Additional U.S. Notes 6, 7, 8, 12, 14, 16–23 and 25 to Chapter 4 and General Note 15 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), Pub. L. 97–258, 96 Stat. 1051, as amended (31 U.S.C. 9701), and secs. 103 and 404, Pub. L. 103–465, 108 Stat. 4819 (19 U.S.C. 3513 and 3601).

■ 2. Appendices 1, 2, and 3 to Subpart—Dairy Tariff-Rate Import Quota Licensing are revised to read as follows:

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NON-HISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTERS LICENSES FOR QUOTA YEAR 2014

[Quantities in kilograms]

Non-cheese articles	Appendix 1	Appendix 2	Sum of Appendix 1&2	Appendix 3 Tokyo R.	Appendix 4 Uruguay R.	Total
BUTTER (NOTE 6)	4,618,233	2,358,767	6,977,000			6,977,000
EU–25	75,000	21,161	96,161			
New Zealand	110,045	40,548	150,593			
Other Countries	40,211	33,724	73,935			
Any Country	4,392,977	2,263,334	6,656,311			
DRIED SKIM MILK (NOTE 7)		5,261,000	5,261,000			5,261,000
Australia		600,076	600,076			
Canada		219,565	219,565			
Any Country		4,441,359	4,441,359			
DRIED WHOLE MILK (NOTE 8)	3,175	3,318,125	3,321,300			3,321,300
New Zealand	3,175		3,175			
Any Country		3,318,125	3,318,125			
DRIED BUTTERMILK/WHEY (NOTE 12)		224,981	224,981			224,981
Canada		161,161	161,161			
New Zealand		63,820	63,820			

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NON-HISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTERS LICENSES FOR QUOTA YEAR 2014—Continued

[Quantities in kilograms]

Non-cheese articles	Appendix 1	Appendix 2	Sum of Appendix 1&2	Appendix 3 Tokyo R.	Appendix 4 Uruguay R.	Total
BUTTER SUBSTITUTES CONTAINING OVER 45 PERCENT OF BUTTERFAT AND/OR BUTTER OIL (NOTE 14)	.....	6,080,500	6,080,500	.....	.....	6,080,500
Any Country	.....	6,080,500	6,080,500	.....	.....	.....
TOTAL: NON-CHEESE ARTICLES	4,621,408	17,243,373	21,864,781	.....	.....	21,864,781
Cheese articles	**Appendix 1**	**Appendix 2**	**Sum of Appendix 1&2**	**Tokyo R.**	**Uruguay R.**	**Grand total**
CHEESE AND SUBSTITUTES FOR CHEESE (EXCEPT: SOFT RIPENED COW'S MILK CHEESE; CHEESE NOT CONTAINING COW'S MILK; CHEESE (EXCEPT COTTAGE CHEESE) CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT; AND, ARTICLES WITHIN THE SCOPE OF OTHER IMPORT QUOTAS PROVIDED FOR IN THIS SUBCHAPTER) (OT–NOTE 16)	21,286,655	10,183,076	31,469,731	9,661,128	7,496,000	48,626,859
Argentina	2,849	4,841	7,690	92,310	.....	100,000
Australia	535,628	5,542	541,170	758,830	1,750,000	3,050,000
Canada	977,439	163,561	1,141,000	.....	.....	1,141,000
Costa Rica	.....	0	0	.....	1,550,000	1,550,000
EU–25	15,618,102	7,649,554	23,267,656	1,132,568	3,446,000	27,846,224
Of which Portugal is:	*65,838*	*63,471*	*129,309*	*223,691*	.....	*353,000*
Israel	79,696	0	79,696	593,304	.....	673,000
Iceland	294,000	0	294,000	29,000	.....	323,000
New Zealand	2,902,261	1,913,211	4,815,472	6,506,528	.....	11,322,000
Norway	124,982	25,018	150,000	.....	.....	150,000
Switzerland	584,954	86,458	671,412	548,588	500,000	1,720,000
Uruguay	.....	0	0	.....	250,000	250,000
Other Countries	100,906	100,729	201,635	.....	.....	201,635
Any Country	.....	300,000	300,000	.....	.....	300,000
BLUE-MOLD CHEESE (EXCEPT STILTON PRODUCED IN THE UNITED KINGDOM) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, BLUE-MOLD CHEESE (B–NOTE 17)	2,278,657	202,344	2,481,001	.....	430,000	2,911,001
Argentina	2,000	0	2,000	.....	.....	2,000
EU–25	2,276,657	202,343	2,479,000	.....	350,000	2,829,000
Chile	.....	.....	0	.....	80,000	80,000
Other Countries	.....	1	1	.....	.....	1
CHEDDAR CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, CHEDDAR CHEESE (C–NOTE 18)	2,775,728	1,508,128	4,283,856	519,033	7,620,000	12,422,889
Australia	897,786	86,713	984,499	215,501	1,250,000	2,450,000
Chile	.....	0	0	.....	220,000	220,000
EU–25	52,404	210,596	263,000	.....	1,050,000	1,313,000
New Zealand	1,723,925	1,072,543	2,796,468	303,532	5,100,000	8,200,000
Other Countries	101,613	38,276	139,889	.....	.....	139,889
Any Country	.....	100,000	100,000	.....	.....	100,000
AMERICAN-TYPE CHEESE, INCLUDING COLBY, WASHED CURD AND GRANULAR CHEESE (BUT NOT INCLUDING CHEDDAR) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING OR PROCESSED FROM SUCH AMERICAN-TYPE CHEESE (A–NOTE 19)	2,665,481	500,072	3,165,553	357,003	0	3,522,556
Australia	761,890	119,108	880,998	119,002	.....	1,000,000
EU–25	140,611	213,389	354,000	.....	.....	354,000
New Zealand	1,612,339	149,660	1,761,999	238,001	.....	2,000,000
Other Countries	150,641	17,915	168,556	.....	.....	168,556
EDAM AND GOUDA CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, EDAM AND GOUDA CHEESE (E–NOTE 20)	4,782,117	824,285	5,606,402	0	1,210,000	6,816,402
Argentina	105,418	19,582	125,000	.....	110,000	235,000
EU–25	4,560,891	728,109	5,289,000	.....	1,100,000	6,389,000
Norway	111,046	55,954	167,000	.....	.....	167,000
Other Countries	4,762	20,640	25,402	.....	.....	25,402

Cheese articles	Appendix 1	Appendix 2	Sum of Appendix 1&2	Tokyo R.	Uruguay R.	Grand total
ITALIAN-TYPE CHEESES, MADE FROM COW'S MILK, (ROMANO MADE FROM COW'S MILK, REGGIANO, PARMESAN, PROVOLONE, PROVOLETTI, SBRINZ, AND GOYA—NOT IN ORIGINAL LOAVES) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH ITALIAN-TYPE CHEESES, WHETHER OR NOT IN ORIGINAL LOAVES (D–NOTE 21)	6,377,637	1,142,910	7,520,547	795,517	5,165,000	13,481,064
Argentina	3,890,321	235,162	4,125,483	367,517	1,890,000	6,383,000
EU–25	2,487,316	894,684	3,382,000	.....	2,025,000	5,407,000
Romania	.....	0	0	.....	500,000	500,000
Uruguay	.....	0	0	428,000	750,000	1,178,000
Other Countries	.....	13,064	13,064	.....	.....	13,064
SWISS OR EMMENTHALER CHEESE OTHER THAN WITH EYE FORMATION, GRUYERE-PROCESS CHEESE AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH CHEESES (GR–NOTE 22)	5,208,248	1,443,066	6,651,314	823,519	380,000	7,854,833
EU–25	3,944,099	1,207,895	5,151,994	393,006	380,000	5,925,000
Switzerland	1,230,651	188,836	1,419,487	430,513	.....	1,850,000
Other Countries	33,498	46,335	79,833	.....	.....	79,833
CHEESE AND SUBSTITUTES FOR CHEESE, CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT (EXCEPT ARTICLES WITHIN THE SCOPE OF OTHER TARIFF-RATE QUOTAS PROVIDED FOR IN THIS SUBCHAPTER), AND MARGARINE CHEESE (LF–NOTE 23)	1,837,206	2,587,702	4,424,918	1,050,000	0	5,474,908
EU–25	1,837,206	2,587,701	4,424,907	.....	.....	4,424,907
Israel	.....	0	0	50,000	.....	50,000
New Zealand	.....	0	0	1,000,000	.....	1,000,000
Other Countries	.....	1	1	.....	.....	1
SWISS OR EMMENTHALER CHEESE WITH EYE FORMATION (SW–NOTE 25)	15,319,360	6,977,971	22,297,331	9,557,945	2,620,000	34,475,276
Argentina	.....	9,115	9,115	70,885	.....	80,000
Australia	209,698	0	209,698	290,302	.....	500,000
Canada	.....	0	0	70,000	.....	70,000
EU–25	10,961,475	5,515,353	16,476,828	4,003,172	2,420,000	22,900,000
Iceland	149,999	0	149,999	150,001	.....	300,000
Israel	27,000	0	27,000	.....	.....	27,000
Norway	3,159,885	495,425	3,655,310	3,227,690	.....	6,883,000
Switzerland	763,050	921,055	1,684,105	1,745,895	200,000	3,630,000
Other Countries	48,253	37,023	85,276	.....	.....	85,276
TOTAL: CHEESE ARTICLES	62,531,089	25,369,554	87,900,653	22,764,145	24,921,000	135,585,788
TOTAL: CHEESE & NON-CHEESE	67,152,497	42,612,927	109,765,434	22,764,145	24,921,000	157,450,569

[FR Doc. 2014–13900 Filed 6–13–14; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No.FAA–2014–0380; Notice No. 25–555–SC]

Special Conditions: Bombardier Aerospace, Models BD–500–1A10 and BD–500–1A11; Limit Engine Torque Loads

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Bombardier Aerospace Models BD–500–1A10 and BD–500–1A11 airplanes. These airplanes have novel or unusual design features as compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. These design features include engine size and the potential torque loads imposed by sudden engine stoppage. 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 16, 2014. We must receive your comments by July 31, 2014.

ADDRESSES: Send comments identified by docket number [FAA–2014–0380] 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 8

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: Mark Freisthler, FAA, Airframe and Cabin Safety Branch, ANM–115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone 425–227–1119; facsimile 425–227–1232.

SUPPLEMENTARY INFORMATION: 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.

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 on or before the closing date for comments. We may change these special conditions based on the comments we receive.

Background

On December 10, 2009, Bombardier Aerospace applied for a type certificate for their new Models BD–500–1A10 and BD–500–1A11 series airplanes (hereafter collectively referred to as ''CSeries''). The CSeries airplanes are swept-wing monoplanes with an aluminum alloy fuselage sized for 5-abreast seating. Passenger capacity is designated as 110 for the Model BD–500–1A10 and 125 for the Model BD–500–1A11. Maximum takeoff weight is 131,000 pounds for the Model BD–500–1A10 and 144,000 pounds for the Model BD–500–1A11.

Type Certification Basis

Under the provisions of Title 14, Code of Federal Regulations (14 CFR) 21.17, Bombardier Aerospace must show that the CSeries airplanes meet the applicable provisions of part 25, as amended by Amendments 25–1 through 25–129 thereto.

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 CSeries airplanes 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 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 CSeries airplanes 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, in accordance with § 11.38, and they become part of the type-certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The CSeries airplanes will incorporate the following novel or unusual design features:

The size, configuration, and failure modes of jet engines have changed considerably from those envisioned by 14 CFR 25.361(b) when the engine seizure requirement was first adopted. Engines have become larger and are now designed with large bypass fans capable of producing much larger and more complex dynamic loads. Relative to the engine configurations that existed when the rule was developed in 1957, the present generation of engines are sufficiently novel or unusual to justify issuance of special conditions to establish appropriate design standards for the CSeries airplanes.

Discussion

The limit engine torque load imposed by sudden engine stoppage due to malfunction or structural failure (such as compressor jamming) has been a specific requirement for transport category airplanes since 1957. In the past, the design torque loads associated with typical failure scenarios have been estimated by the engine manufacturer and provided to the airframe manufacturer as limit loads. These limit loads were considered simple, pure torque static loads.

It is evident from service history that the engine failure events that tend to cause the most severe loads are fan blade failures, and these events occur much less frequently than the typical ''limit'' load condition.

The regulatory authorities and industry have developed a standardized requirement in the Aviation Rulemaking Advisory Committee (ARAC) forum. The technical aspects of this requirement have been agreed upon and have been accepted by the ARAC Loads and Dynamics Harmonization Working Group. The special conditions outlined below reflect the ARAC recommendation. The ARAC recommendation includes corresponding advisory material, which is considered an acceptable means of compliance to these special conditions.

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 Model BD–500–1A10 and BD–500–1A11 (CSeries) airplanes. Should Bombardier Aerospace 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 two model series of 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 Bombardier Aerospace Model BD–500–1A10 and BD–500–1A11 (CSeries) airplanes.

Limit Engine Torque Loads

In lieu of § 25.361(b) the following special conditions apply:

1. For turbine engine installations, the engine mounts, pylons, and adjacent supporting airframe structure must be designed to withstand 1g level flight loads acting simultaneously with the maximum limit torque loads imposed by each of the following:

(a) Sudden engine deceleration due to a malfunction that could result in a temporary loss of power or thrust, and

(b) The maximum acceleration of the engine.

2. For auxiliary power unit (APU) installations, the power unit mounts and adjacent supporting airframe structure must be designed to withstand 1g level flight loads acting simultaneously with the maximum limit torque loads imposed by each of the following:

(a) Sudden APU deceleration due to malfunction or structural failure; and

(b) The maximum acceleration of the APU.

3. For engine supporting structure, an ultimate loading condition must be considered that combines 1g flight loads with the transient dynamic loads resulting from:

(a) The loss of any fan, compressor, or turbine blade; and separately

(b) Where applicable to a specific engine design, any other engine structural failure that results in higher loads.

4. The ultimate loads developed from the conditions specified in paragraphs 3(a) and 3(b) of these special conditions are to be multiplied by a factor of 1.0 when applied to engine mounts and pylons, and multiplied by a factor of 1.25 when applied to adjacent supporting airframe structure.

5. Any permanent deformation that results from the conditions specified in paragraph 3 must not prevent continued safe flight and landing.

Issued in Renton, Washington, on June 6, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–13923 Filed 6–13–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0986; Airspace Docket No. 13–AGL–25]

Establishment of Class E Airspace; Bois Blanc Island, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, correction.

SUMMARY: This action corrects an error in the legal description of a final rule published in the **Federal Register** of May 22, 2014, that establishes Class E airspace at Bois Blanc Island Airport, Bois Blanc Island, MI. The legal description noted incorrectly the airport's state and geographic coordinates.

DATES: Effective date: 0901 UTC, July 24, 2014.

FOR FURTHER INFORMATION CONTACT: Raul Garza, Jr., Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone: 817–321–7654.

SUPPLEMENTARY INFORMATION:

History

On May 22, 2014, a final rule was published in the **Federal Register** establishing Class E airspace at Bois Blanc Island Airport, Bois Blanc Island, MI (79 FR 29323), Docket No. FAA–2013–0986. Subsequent to publication, the FAA found the document showing the wrong state and geographic location in the legal description. It should read Bois Blanc Island Airport, MI, (lat. 45°45′59″ N., long. 084°30′14″ W.), instead of Bois Blanc Island Airport, MO, (lat. 38°20′52″ N., long. 93°20′43″ W.) This action makes the correction.

Final Rule Correction

Accordingly, pursuant to the authority delegated to me, in the **Federal Register** of May 22, 2014, (79 FR 29323) FR Doc. 2014–11382, the state and geographic coordinates in the airspace designation regulatory text on page 29324, column 2, line 1, are corrected as follows:

§ 71.1 [Amended]

AGL MI E5 Bois Blanc Island, MI [Corrected]

■ Remove Bois Blanc Island Airport, MO, (lat. 38°20′52″ N., long. 93°20′43″ W.) and add in its place Bois Blanc Island Airport, MI, (lat. 45°45′59″ N., long. 084°30′14″ W.)

Issued in Fort Worth, Texas, on June 6, 2014.

Christopher L. Southerland,

Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2014–14049 Filed 6–13–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 744 and 758

[Docket No. 140530464–4464–01]

RIN 0694–AG20

Export Administration Regulations (EAR): Addition of Certain Persons to the Unverified List (UVL) and Making a Correction

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) by adding twenty-nine (29) persons to the Unverified List (the ''Unverified List'' or UVL). The 29 persons are being added to the UVL on the basis that BIS could not verify their *bona fides* because an end-use check could not be completed satisfactorily for reasons outside the U.S. Government's control. In addition, this rule reinserts a requirement for exporters to file an Automated Export System (AES) record for all exports subject to the EAR involving persons listed on the UVL following that provision's inadvertent removal from the EAR.

The UVL contains the names and addresses of foreign persons who are or have been parties to a transaction, as that term is described in the EAR, involving the export, reexport, or transfer (in-country) of items subject to the EAR, and whose *bona fides* BIS has been unable to verify through an end-use check. There is a suspension of license exceptions for exports, reexports, and transfers (in-country) involving a party or parties to the transaction who are listed on the UVL, and a requirement for exporters, reexporters, and transferors to obtain (and keep a record of) a UVL statement from a party or parties to the transaction who are listed on the UVL before proceeding with exports, reexports, and transfers (in-country) involving items subject to the EAR, but where the item does not require a license.

DATES: *Effective Date:* This rule is effective: June 16, 2014.

FOR FURTHER INFORMATION CONTACT: Kevin Kurland, Director, Office of Enforcement Analysis, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–4255 or by email at *UVLRequest@bis.doc.gov*.

SUPPLEMENTARY INFORMATION:

Background

On August 21, 2008 (73 FR 49311), BIS expanded the scope of reasons to add persons to the Entity List (Supplement No. 4 Part 744). That rule amended Section 744.11 of the EAR to provide illustrative examples of the types of conduct that the U.S. Government could determine are contrary to U.S. national security or foreign policy interests for purposes of changes to the Entity List. One example listed in that section is, ''[p]reventing accomplishment of an end use check conducted by or on behalf of BIS or the Directorate of Defense Trade Controls of the Department of State by: precluding access to; refusing to provide information about; or providing false or misleading information about parties to the transaction or the item to be checked.''

However, end-use checks sometimes cannot be completed for reasons unrelated to the cooperation of the foreign party subject to the end-use check. In such situations, BIS may add persons to the UVL where BIS or federal officials acting on BIS's behalf have been unable to verify a foreign person's *bona fides* (i.e., legitimacy and reliability relating to the end use and end user of items subject to the EAR), where an end-use check, such as a pre-license check (PLC) or a post-shipment verification (PSV), cannot be completed satisfactorily for such purposes for reasons outside the U.S. Government's control. For example, BIS sometimes initiates end-use checks and cannot find a foreign party at the address indicated on export documents, and cannot locate the party by telephone or email. Additionally, BIS sometimes is unable to conduct end-use checks when host government agencies do not respond to requests to conduct end-use checks or refuse to schedule them in a timely manner. Under these circumstances, there may not be a basis to add the foreign persons at issue to the Entity List, particularly if there is no nexus between the foreign person's conduct and the failure to produce a complete, accurate and useful check (see § 744.11(b)(4) of the EAR (Criteria for revising the Entity List)).

Furthermore, BIS sometimes conducts end-use checks but cannot verify the *bona fides* of a foreign party. For example, BIS may be unable to verify *bona fides* if during the conduct of an end-use check a recipient of items subject to the EAR is unable to produce those items for visual inspection or provide sufficient documentation or other evidence to confirm the disposition of those items. The inability of foreign persons subject to end-use checks to demonstrate their *bona fides* raises concerns about the suitability of such persons as participants in future exports, reexports, or transfers (in-country) and indicates a risk that items subject to the EAR may be diverted to prohibited end uses and/or end users. However, BIS may have insufficient information to establish that such persons are involved in activities described in § 744.11 of the EAR, preventing the placement of the persons on the Entity List. In such circumstances, those foreign persons may be added to the Unverified List.

On December 19, 2013 (78 FR 76741), BIS published a final rule that amended the EAR by: (1) Requiring exporters to file an AES record for all exports subject to the EAR involving persons listed on the UVL (see § 758.1(b)(8) of the EAR); (2) suspending the availability of license exceptions for exports, reexports, and transfers (in-country) involving persons listed on the UVL (see § 740.2(a)(17) of the EAR); (3) requiring exporters, reexporters and transferors (in-country) to obtain and retain a UVL statement from UVL-listed persons before proceeding with exports, reexports, and transfers (in-country) that are not otherwise subject to a license requirement under the EAR involving such persons (see §§ 744.15 and 762.2(b) of the EAR); (4) adding the UVL to Supplement No. 6 to Part 744, and (5) adding to the EAR procedures to request removal or modification of a UVL entry (see § 744.15(d) of the EAR). That rule took effect on January 21, 2014.

Supplement No. 6 to Part 744 (''the UVL'') contains the names and addresses of foreign persons who are or have been parties to a transaction, as that term is described in § 748.5 of the EAR, involving the export, reexport, or transfer (in-country) of items subject to the EAR, and whose *bona fides* BIS has been unable to verify through an end-use check.

BIS adds a person to the UVL in accordance with the criteria set forth in § 744.15(c)(1) of the EAR. For example, in some instances, BIS may not be able to conduct an end-use check, such as a PLC or a PSV, at all because, among other potential reasons, BIS was unable to locate or contact the subject of the check or the host government declined to schedule the check in a timely manner. Alternatively, BIS may not be able to complete a satisfactory end-use check because, *inter alia*, the foreign party is unable to demonstrate its *bona fides* or the disposition of the items in question during the end-use check. In either circumstance, BIS may determine to add the foreign person to the UVL.

Requests for removal of a UVL entry must be made in accordance with § 744.15(d) of the EAR. Decisions regarding the removal or modification of UVL listings will be made by the Deputy Assistant Secretary for Export Enforcement, based on a demonstration by the listed person of its *bona fides.*

Changes to the EAR

Supplement No. 6 to Part 744 (''the Unverified List'' or ''UVL'')

This rule adds twenty-nine (29) persons to the UVL by amending Supplement No. 6 to Part 744 of the EAR to include their names and addresses. BIS adds these persons in accordance with the criteria for revising the UVL set forth in § 744.15(c) of the EAR. Each listing is grouped by country, and accompanied by the party's name(s) and address(es) as well as the **Federal Register** citation and date the person was added to the UVL. The UVL is included in the Consolidated Screening List, available at *www.export.gov.* Restrictions and requirements for transactions that include listed persons on the UVL are found in § 744.15 of the EAR.

AES Record

In addition, this rule contains a requirement for exporters to file an AES record for all exports of tangible items subject to the EAR involving persons listed on the UVL. That requirement was previously proposed and made final in a rule published on December 19, 2013 (78 FR 76741), but inadvertently omitted in a corrections rule published on January 29, 2014 (79 FR 4613). This rule corrects that error by reinserting the AES filing requirement in § 758.1(b)(8).

Savings Clause

Shipments (1) removed from license exception eligibility or that are now subject to requirements in § 744.15 of the EAR as a result of this regulatory action, (2) eligible for export, reexport, or transfer (in-country) without a license before this regulatory action, and (3) on dock for loading, on lighter, laden aboard an exporting carrier, or en route aboard a carrier to a port of export, on June 16, 2014, pursuant to actual orders, may proceed to that UVL listed person

under the previous license exception eligibility or without a license so long as they have been exported from the United States, reexported or transferred (in-country) before July 16, 2014. Any such items not actually exported, reexported or transferred (in-country) before midnight, on July 16, 2014, are subject to the requirements in § 744.15 of the EAR in accordance with this regulation.

Export Administration Act

Since August 21, 2001, the Export Administration Act of 1979, as amended, has been in lapse. However, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013), and as extended by the Notice of August 8, 2013, 78 FR 49107 (August 12, 2013) has continued the EAR in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*). BIS continues to carry out the provisions of the Export Administration Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222 as amended by Executive Order 13637.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a ''significant regulatory action,'' under section 3(f) of Executive Order 12866.

2. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public comment and a delay in effective date are inapplicable to the provisions of this rule adding 29 persons to the UVL because those provisions in the regulation involve military or foreign affairs. BIS implements this rule to protect U.S. national security or foreign policy interests by requiring a license for items being exported, reexported, or transferred (in country) involving a party or parties to the transaction who are listed on the UVL. If this rule were delayed to allow for notice and comment and a delay in effective date, then entities being added to the UVL by this action would continue to be able to receive items without a license and to conduct activities contrary to the national security or foreign policy interests of the United States. In addition, publishing a proposed rule would give these parties notice of the U.S. Government's intention to place them on the UVL, and would create an incentive for these persons to either accelerate receiving items subject to the EAR to conduct activities that are contrary to the national security or foreign policy interests of the United States, and/or to take steps to set up additional aliases, change addresses, and other measures to try to limit the impact of the listing once a final rule was published.

The Department finds there is good cause under 5 U.S.C. 553(b)(3)(B) to waive the provisions of the Administrative Procedure Act requiring prior notice and the opportunity for public comment to the provision of this rule adding Section 758.1(b)(8) because they are contrary to the public interest and unnecessary. The addition of that paragraph was proposed by the Department on September 11, 2013 (78 FR 55664), and made final in a rule published on December 19, 2013 (78 FR 76741). The final rule went into effect on January 21, 2014. Due to an oversight, that paragraph was mistakenly removed through the publication of a rule (79 FR 4613) correcting paragraphs (1) through (7) in § 758.1(b). This rule corrects that inadvertent omission by reinserting paragraph (b)(8).

The Department finds that providing notice and comment is contrary to the public interest because doing so would only cause confusion about what exporters are required to do under the Regulations when exporting items involving a parties or parties who are listed on the Unverified List. Notice and an opportunity for the public to comment are also unnecessary because, as discussed above, the Department already published a proposed rule giving the public notice and the opportunity to comment on this paragraph. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* are not applicable. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

3. Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under the following control numbers: 0694–0088, 0694–0122, 0694–0134, and 0694–0137.

This rule slightly increases public burden in a collection of information approved by OMB under control number 0694–0088, which authorizes, among other things, export license applications. The removal of license exceptions for listed persons on the Unverified List will result in increased license applications being submitted to BIS by exporters. Total burden hours associated with the Paperwork Reduction Act and OMB control number 0694–0088 are expected to increase minimally, as the suspension of license exceptions will only affect transactions involving persons listed on the Unverified List and not all export transactions. Because license exceptions are restricted from use, this rule decreases public burden in a collection of information approved by OMB under control number 0694–0137 minimally, as this will only affect specific individual listed persons. The increased burden under 0694–0088 is reciprocal to the decrease of burden under 0694–0137, and results in no change of burden to the public. This rule also increases public burden in a collection of information under OMB control number 0694–0122, as a result of the exchange of UVL statements between private parties, and under OMB control number 0694–0134 as a result of appeals from persons listed on the UVL for removal of their listing. The total increase in burden hours associated with both of these collections is expected to be minimal, as they involve a limited number of persons listed on the UVL.

4. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

List of Subjects

15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

15 CFR Part 758

Export clearance requirements.

Accordingly, Parts 744 and 758 of the Export Administration Regulations (15 CFR parts 730–774) are amended as follows:

PART 744—[AMENDED]

■ 1. The authority citation for 15 CFR Part 744 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of August 8, 2013, 78 FR 49107 (August 12, 2013); Notice of September 18, 2013, 78 FR 58151 (September 20, 2013); Notice of November 7, 2013, 78 FR 67289 (November 12, 2013); Notice of January 21, 2014, 79 FR 3721 (January 22, 2014).

■ 2. Supplement No. 6 to Part 744 is revised to read as follows:

Supplement No. 6 to Part 744—Unverified List

Exports, reexports, and transfers (in-country) involving parties to the transaction who are listed in this supplement are subject to the restrictions and requirements outlined in § 744.15 of the EAR.

Country	Listed person and address	**Federal Register** citation and date of publication
CHINA	China National Plant Import/Export Co., Room 2135, Jingxin Building A, No Dong San Huan North Road, Beijing, China.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
HONG KONG	Brilliance Technology Ltd, Flat A, 11/F, Adolfo Mansion, 114–116 Austin Road, Tsim Sha Tsui, Kowloon, Hong Kong; *and* Rm 1203, 12/F, Hip Kwan Commercial Bldg., 38 Pitt Street, Yau Ma Tei, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Dynasense Photonics Co., Limited, Unit 2209, 22/F, Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Hi-Shine Technology (HK) Limited, Flat D12, 11/F, King Yip Factory Bldg, 59 King Yip Street, Kwun Tong, Kowloon, Hong Kong; *and* Room 603, 6/F, Hang Pont Commercial Building, 31 Tonking Street, Cheung Sha Wan, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Hong Kong Haimao Info-Tec Development Co Ltd, Rm 1013B, Well Fung Ind. Center, Ta Chuen Ping Street, Kwai Chung, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Lianqi (HK) Electronics Co Ltd, Unit N, 3/F, Hopewell House, 175 Hip Wo Street, KwunTong, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Lion Chip Electronics Ltd, Unit N, 3/F, Hopewell House, 175 Hip Wo Street, KwunTong, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Maipu Communication Technology Co Ltd, 7/F Kerry Warehouse, 36–42 Shan Mei St, Shatin, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Nano Tech International Co Ltd, Unit 5, 27/F, Richmond Commercial Building, 109 Argyle Street, Mongkok, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Narpel Technology Co., Limited, Unit A, 6/F, Yip Fat Factory Building, Phase 1, No 77 Hoi Yuen Road, Kwun Tong, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	People Tele-com Group, Flat A, 11/F, Adolfo Mansion, 114–116 Austin Road, Tsim Sha Tsui, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Powersun Electronics, Flat/Rm 502D, Hang Pont Commercial Building, 31 Tonkin Street, Cheung Sha Wan, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Team Kingdom Limited, Unit 526, 5/F, Advanced Technology Centre, 2 Choi Fat Street, Sheung Shui, New Territories, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Top-Rank Int Trade (HK), Room 201–202, Westin Centre, 26 Hung To Road, Kwun Tong, Hong Kong; *and* Units A&B, 15/F, Neich Tower, 128 Gloucester Road, Wanchai, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Tianao Electronics Limited, Rm 9, 7/F, Block G, East Sun Industrial Ctr, 16 Shing Yip Street, Kwun Tong, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Vessel Technology Limited, Rm 2309, 23/F, Ho King Comm Ctr, 2–16 Fayuen St., Mongkok, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Win Electronics Limited, G/F, 26 Pau Chung Street, Tokwawan, Kowloon, Hong Kong; *and* Rm 2309, 23/F, Ho King Comm Ctr, 2–16 Fayuen St., Mongkok, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Win-Semi International Ltd, Flat 6, 20/F, Mega Trade Centre, 1–9 Mei Wan Street, Tsuen Wan, Hong Kong; *and* Unit 503, 5/F, Silvercord Tower 2, 30 Canton Road, Tsimshatsui, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Yashen (HK) Electronics, Flat R, 15/F, Phase 2, Goldfield Industrial Building, 144–150 Tai Lin Pai Road, Kai Chung, New Territories, Hong Kong; *and* Room N, 3/F, Mongkok Building, 97 Mongkok Road, Kowloon, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	ZDAS (HK) Company, G/F, 16 Kwan Tei North Tsuen Leung Yeuk Tau, Sha Tau Kok Road, Fanling, Hong Kong; *and* Room 1609, 16/F, Block B, Veristrong Industrial Center, 34–36 Au Pui Wan Street, FoTaan, Shatin, New Territories, Hong Kong.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	ZhongJie Electronics, G/F, 26 Pau Chung Street, Tokwawan, Kowloon, Hong Kong; *and*	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.

Country	Listed person and address	Federal Register citation and date of publication
	Rm 2309, 23/F, Ho King Comm Ctr, 2–16 Fayuen St., Mongkok, Kowloon, Hong Kong.	
RUSSIA	JSC Voentelecom, Bolshaya Olenya Str. 15A, Moscow, Russia	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Nasosy Ampika, 3-ya Institutskaya St. Bld. 15, Moscow, Russia	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Nuclin LLC, Serebryakova Proezd 14, Moscow, Russia	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	SDB IRE RAS, 1 Vvedenskogo Square, Fryazino, Russia	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Security 2 Business Academy, a.k.a. S2BA, a.k.a. Academy of Business Security, Deguninskaya Street 10, Moscow, Russia; *and* Novoslobodskaya Str. 14/19, Moscow, Russia.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
UNITED ARAB EMIRATES	Doubair General Trading Co. LLC, P.O. Box 30239, Dubai, UAE	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	Golden Business FZE, Warehouse #FZS1 AN08, Jebel Ali Free Zone, Dubai, UAE; *and* P.O. Box 263128, Dubai, UAE.	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	World Heavy Equipment, Industrial Area 10, Ras Al Khaimah, UAE; *and*	79 FR [INSERT FR PAGE NUMBER], June 16, 2014.
	World Equipment Trading L.L.C, Industrial Area 10, Ras Al Khaimah, UAE.	

PART 758—[AMENDED]

■ 3. The authority citation for 15 CFR Part 758 continues to read as follows:

Authority: 50 U.S.C. app. 2401 et seq.; 50 U.S.C. 1701 et seq.; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 8, 2013, 78 FR 49107 (August 12, 2013).

■ 4. Section 758.1 is amended by adding paragraph (b)(8) to read as follows:

§ 758.1 The Electronic Export Information (EEI) filing to the Automated Export System (AES)

* * * * *

(b) * * *

(8) For all exports of tangible items subject to the EAR where parties to the transaction, as described in § 748.5(d) through (f) of the EAR, are listed on the Unverified List (Supplement 6 to Part 744 of the EAR), regardless of value or destination.

* * * * *

Dated: June 11, 2014.

Kevin J. Wolf,

Assistant Secretary for Export Administration.

[FR Doc. 2014–14040 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 748

[Docket No. 140406409–01]

RIN 0694–AG15

Amendments to Existing Validated End-User Authorizations in the People's Republic of China: Samsung China Semiconductor Co. Ltd and Semiconductor Manufacturing International Corporation; Correction

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Correcting amendment.

SUMMARY: Bureau of Industry and Security (BIS) published a final rule in the **Federal Register** on May 29, 2014 (79 FR 30713), amending existing authorizations in the Export Administration Regulations (EAR) for Validated End-Users (VEUs) Samsung China Semiconductor Co. Ltd. (Samsung China) and Semiconductor Manufacturing International Corporation (SMIC) in the People's Republic of China. BIS is correcting an inadvertent typographical error in a citation included in the list of eligible items for SMIC in the May 29 final rule. BIS also makes a conforming change.

DATES: This correction is effective June 16, 2014.

FOR FURTHER INFORMATION CONTACT: Karen Nies-Vogel, Chair, End-User Review Committee, Bureau of Industry and Security, U.S. Department of Commerce, 14th Street & Pennsylvania Avenue NW., Washington, DC 20230; by telephone: (202) 482–5991, fax: (202) 482–3991, or email: *ERC@bis.doc.gov.*

SUPPLEMENTARY INFORMATION: Bureau of Industry and Security (BIS) published a final rule in the **Federal Register** on May 29, 2014 (79 FR 30713), which amended existing authorizations in the Export Administration Regulations (EAR) for Validated End-Users (VEUs) Samsung China Semiconductor Co. Ltd. (Samsung China) and Semiconductor Manufacturing International Corporation (SMIC) in the People's Republic of China. Specifically, BIS amended Supplement No. 7 to Part 748 of the EAR to change the address of the facility used by Samsung China. In addition, BIS added a facility to the list of eligible destinations and an item to the list of eligible items for SMIC. BIS is correcting an inadvertent typographical error in the second citation included in the list of eligible items for SMIC in the May 29 final rule. BIS also makes a conforming change by updating the citation in the ''**Federal Register** Citation'' column in the entry for SMIC.

List of Subjects 15 CFR Part 748

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

Accordingly, part 748 of the EAR (15 CFR parts 730–774) is amended as follows:

PART 748—[AMENDED]

■ 1. The authority citation for 15 CFR part 748 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.;* 50 U.S.C. 1701 *et seq.;* E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66

FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 8, 2013, 78 FR 49107 (August 12, 2013).

Supplement No. 7 to Part 748—[AMENDED]

■ 2. Supplement No. 7 to Part 748—Authorization Validated End-User (VEU): List of Validated End-Users, Respective Items Eligible for Export, Reexport and Transfer, and Eligible Destination is amended by:

■ a. Removing ''748.15'' in the list of items in the ''Eligible items (By ECCN)'' column for ''Semiconductor Manufacturing International Corporation'' and add in its place ''742.15''; and

■ b. Adding the citation ''79 FR [INSERT PAGE NUMBER], June 16, 2014'' at the end of the list of citations in the ''**Federal Register** Citation'' column for ''Semiconductor Manufacturing International Corporation''.

Eileen M. Albanese,

Acting Director, Office of Exporter Services.

[FR Doc. 2014–14041 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 878

[Docket No. FDA–2014–N–0655]

Medical Devices; General and Plastic Surgery Devices; Classification of the Nonabsorbable Expandable Hemostatic Sponge for Temporary Internal Use

AGENCY: Food and Drug Administration, HHS.

ACTION: Final order.

SUMMARY: The Food and Drug Administration (FDA) is classifying the nonabsorbable expandable hemostatic sponge for temporary internal use into class II (special controls). The special controls that will apply to the device are identified in this order and will be part of the codified language for the nonabsorbable expandable hemostatic sponge for temporary internal use classification. The Agency is classifying the device into class II (special controls) in order to provide a reasonable assurance of safety and effectiveness of the device.

DATES: This order is effective July 16, 2014. The classification was applicable April 3, 2014.

FOR FURTHER INFORMATION CONTACT: Kelley Burridge, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G425, Silver Spring, MD 20993–0002, 301–796–7630.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 513(f)(1) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360c(f)(1)), devices that were not in commercial distribution before May 28, 1976 (the date of enactment of the Medical Device Amendments of 1976), generally referred to as postamendments devices, are classified automatically by statute into class III without any FDA rulemaking process. These devices remain in class III and require premarket approval, unless and until the device is classified or reclassified into class I or II, or FDA issues an order finding the device to be substantially equivalent, in accordance with section 513(i) of the FD&C Act, to a predicate device that does not require premarket approval. The Agency determines whether new devices are substantially equivalent to predicate devices by means of premarket notification procedures in section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807) of the regulations.

Section 513(f)(2) of the FD&C Act, as amended by section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144, July 9, 2012), provides two procedures by which a person may request FDA to classify a device under the criteria set forth in section 513(a)(1). Under the first procedure, the person submits a premarket notification under section 510(k) of the FD&C Act for a device that has not previously been classified and, within 30 days of receiving an order classifying the device into class III under section 513(f)(1) of the FD&C Act, the person requests a classification under section 513(f)(2). Under the second procedure, rather than first submitting a premarket notification under section 510(k) of the FD&C Act and then a request for classification under the first procedure, the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence and requests a classification under section 513(f)(2) of the FD&C Act. If the person submits a request to classify the device under this second procedure, FDA may decline to undertake the classification request if FDA identifies a legally marketed device that could provide a reasonable basis for review of substantial equivalence with the device or if FDA determines that the device submitted is not of ''low-moderate risk'' or that general controls would be inadequate to control the risks and special controls to mitigate the risks cannot be developed.

In response to a request to classify a device under either procedure provided by section 513(f)(2) of the FD&C Act, FDA will classify the device by written order within 120 days. This classification will be the initial classification of the device.

On January 30, 2013, RevMedx, Inc., submitted a request for classification of XSTAT under section 513(f)(2) of the FD&C Act. The manufacturer recommended that the device be classified into class II (Ref. 1).

In accordance with section 513(f)(2) of the FD&C Act, FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act. FDA classifies devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls to provide reasonable assurance of the safety and effectiveness of the device for its intended use. After review of the information submitted in the de novo request, FDA determined that the device can be classified into class II with the establishment of special controls. FDA believes these special controls, in addition to general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on April 3, 2014, FDA issued an order to the requestor classifying the device into class II. FDA is codifying the classification of the device by adding § 878.4452.

Following the effective date of this final classification administrative order, any firm submitting a premarket notification (510(k)) for a nonabsorbable expandable hemostatic sponge for temporary internal use will need to comply with the special controls named in the final administrative order.

The device is assigned the generic name nonabsorbable expandable hemostatic sponge for temporary internal use, and it is identified as a prescription device intended to be placed temporarily into junctional, non-compressible wounds, which are not amenable to tourniquet use, to control bleeding until surgical care is acquired. The sponges expand upon contact with blood to fill the wound cavity and provide a physical barrier and pressure that facilitates formation of a clot. The device consists of sterile nonabsorbable radiopaque compressed sponges and

may include an applicator to facilitate delivery into a wound.

FDA has identified the following risks to health associated with this type of device and the measures required to mitigate these risks in table 1:

TABLE 1—NONABSORBABLE EXPANDABLE HEMOSTATIC SPONGE FOR TEMPORARY INTERNAL USE RISKS AND MITIGATION MEASURES

Identified risk	Mitigation measure
Failure to Stop Bleeding or Recurrence of Bleeding	Non-Clinical Performance Data. In Vivo Performance Data. Stability Assessment. Labeling.
Obstruction of Vital Organs	Human Factors Testing. Labeling.
Embolization	In Vivo Performance Data.
Collateral Tissue Damage (e.g., paralysis, nerve damage, tissue necrosis)	In Vivo Performance Data. Labeling.
Adverse Tissue and Allergic Reactions	Material Characterization. Biocompatibility. In Vivo Performance Data. Labeling.
Infection (e.g., cellulitis, Toxic Shock Syndrome, sepsis)	Sterility Testing. Stability Assessment.
Reoperation Due to Material Retained in Body	Non-Clinical Performance Data. In Vivo Performance Data. Human Factors Testing. Labeling.
Sponge Deployment Failure	Non-Clinical Performance Data. In Vivo Performance Data. Stability Assessment. Human Factors Testing. Labeling.
Improper Application Technique or Use Error	Human Factors Testing. Labeling.

FDA believes that the following special controls, in addition to the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness:

1. Performance data must demonstrate the biocompatibility of patient-contacting components.

2. Performance data must demonstrate the sterility of patient-contacting components including endotoxin and pyrogenicity assessments.

3. Performance data must support device stability by demonstrating continued sterility of the patient-contacting components of the device, package integrity, and device functionality over the requested shelf life.

4. Assessment of material characteristics must be sufficient to support safety under anticipated conditions of use. Assessments must include the following:

- Material specifications;
- immunogenicity; and
- viral inactivation for animal-derived materials.

5. Non-clinical performance data must demonstrate that the device performs as intended under anticipated conditions of use. The following performance characteristics must be tested:

- Absorption capacity;
- extent of swelling;
- mechanical properties;
- expansion force/pressure;
- radiopacity; and
- deployment/applicator functionality.

6. In vivo performance data must demonstrate safe and effective use by verifying that the device performs as intended under anticipated conditions of use. Appropriate analysis/testing must demonstrate that the product: Controls bleeding, does not promote adverse local or systemic effects, and can be completely removed from the wound. The following performance characteristics must be tested:

- Deployment;
- control of bleeding;
- radiopacity;
- retrieval; and
- assessment of local and systemic effects.

7. Human factors testing and analysis must validate that the device design and labeling are sufficient for appropriate use by emergency responders deploying the device as well as surgeons retrieving the device from wounds.

8. Labeling must include:

- Specific instructions for deployment by emergency responders and retrieval by surgeons;
- warnings, cautions, and limitations needed for safe use of the device;
- information on how the device operates and the typical course of treatment;
- a detailed summary of the in vivo and human factors testing pertinent to use of the device;
- appropriate imaging information to ensure complete retrieval of device; and
- an expiration date/shelf life.

Nonabsorbable expandable hemostatic sponges for temporary internal use are prescription devices restricted to patient use only upon the authorization of a practitioner licensed by law to administer or use the device. (§ 878.4452; see section 520(e) of the FD&C Act (21 U.S.C. 360j(e)) and 21 CFR 801.109 (*Prescription devices*).) Prescription-use restrictions are a type of general controls as defined in section 513(a)(1)(A)(i) of the FD&C Act.

Section 510(m) of the FD&C Act provides that FDA may exempt a class II device from the premarket notification requirements under section 510(k) of the FD&C Act if FDA determines that premarket notification is not necessary to provide reasonable assurance of the safety and effectiveness of the device. For this type of device, FDA has determined that premarket notification is necessary to provide reasonable assurance of the safety and effectiveness of the device. Therefore, this device type is not exempt from premarket

notification requirements. Persons who intend to market this type of device must submit to FDA a premarket notification, prior to marketing the device, which contains information about the nonabsorbable expandable hemostatic sponge for temporary internal use they intend to market.

II. Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

III. Paperwork Reduction Act of 1995

This final administrative order establishes special controls that refer to previously approved collections of information found in other 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 part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120, and the collections of information in 21 CFR part 801, regarding labeling have been approved under OMB control number 0910–0485.

IV. 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.*

1. K130218: De novo request per 513(f)(2) of the Federal Food, Drug, and Cosmetic Act from RevMedx, Inc., dated January 28, 2013.

List of Subjects in 21 CFR Part 878

Medical devices, General and plastic surgery devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 878 is amended as follows:

PART 878—GENERAL AND PLASTIC SURGERY DEVICES

■ 1. The authority citation for 21 CFR part 878 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 878.4452 to subpart E to read as follows:

§ 878.4452 Nonabsorbable expandable hemostatic sponge for temporary internal use.

(a) *Identification.* A nonabsorbable expandable hemostatic sponge for temporary internal use is a prescription device intended to be placed temporarily into junctional, non-compressible wounds, which are not amenable to tourniquet use, to control bleeding until surgical care is acquired. The sponges expand upon contact with blood to fill the wound cavity and provide a physical barrier and pressure that facilitates formation of a clot. The device consists of sterile, nonabsorbable radiopaque compressed sponges and may include an applicator to facilitate delivery into a wound.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Performance data must demonstrate the biocompatibility of patient-contacting components.

(2) Performance data must demonstrate the sterility of patient-contacting components including endotoxin and pyrogenicity assessments.

(3) Performance data must support device stability by demonstrating continued sterility of the patient-contacting components of the device, package integrity, and device functionality over the requested shelf life.

(4) Assessment of material characteristics must be sufficient to support safety under anticipated conditions of use. Assessments must include the following:

(i) Material specifications.

(ii) Immunogenicity.

(iii) Viral inactivation for animal-derived materials.

(5) Non-clinical performance data must demonstrate that the device performs as intended under anticipated conditions of use. The following performance characteristics must be tested:

(i) Absorption capacity.

(ii) Extent of swelling.

(iii) Mechanical properties.

(iv) Expansion force/pressure.

(v) Radiopacity.

(vi) Deployment/applicator functionality.

(6) In vivo performance data must demonstrate safe and effective use by verifying that the device performs as intended under anticipated conditions of use. Appropriate analysis/testing must demonstrate that the product: Controls bleeding, does not promote adverse local or systemic effects, and can be completely removed from the wound. The following performance characteristics must be tested:

(i) Deployment.

(ii) Control of bleeding.

(iii) Radiopacity.

(iv) Retrieval.

(v) Assessment of local and systemic effects.

(7) Human factors testing and analysis must validate that the device design and labeling are sufficient for appropriate use by emergency responders deploying the device as well as surgeons retrieving the device from wounds.

(8) Labeling must include:

(i) Specific instructions for deployment by emergency responders and retrieval by surgeons.

(ii) Warnings, cautions, and limitations needed for safe use of the device.

(iii) Information on how the device operates and the typical course of treatment.

(iv) A detailed summary of the in vivo and human factors testing pertinent to use of the device.

(v) Appropriate imaging information to ensure complete retrieval of device.

(vi) An expiration date/shelf life.

Dated: June 10, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13905 Filed 6–13–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 1710, 1715, 1720, 3400, and 3500

[Docket No. FR–5788–F–01]

RIN 2501–AD67

Removal of Regulations Transferred to the Consumer Financial Protection Bureau

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule.

SUMMARY: Through this rule, HUD removes its regulations previously authorized under the Real Estate Settlement Procedures Act of 1974 (RESPA), the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act), and the Interstate Land Sales Full Disclosure Act (ILSFDA). Responsibility for administration of these statutes, including authority to issue regulations, was transferred to the Consumer Financial Protection Bureau (CFPB)

pursuant to title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). Accordingly, HUD's regulations for these statutes are no longer operative, and are being removed by this final rule.

DATES: *Effective Date:* July 16, 2014.

FOR FURTHER INFORMATION CONTACT: Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410; telephone number 202–708–1793 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the Federal Relay Service at 800–877–8389 (this is a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

The Dodd-Frank Act [1] transferred from HUD to the CFPB the authority to administer, enforce, and otherwise implement the RESPA (12 U.S.C. 2601 *et seq.*), the SAFE Act (12 U.S.C. 5101 *et seq.*), and the ILSFDA (15 U.S.C. 1701 *et seq.*).[2] Until enactment of the Dodd-Frank Act, the responsibility to administer, enforce, and otherwise implement these statutes was placed on HUD. Under HUD's authority, HUD's issued regulations implementing these laws were codified at 24 CFR part 3500 for RESPA, 24 CFR part 3400 for the SAFE Act, and 24 CFR parts 1710, 1715, and 1720 for the ILSFDA. The transfer of authority to the CFPB occurred on July 21, 2011,[3] and the CFPB has since issued its own regulations for these statutes.[4] Entities covered by these statutes must now comply with the regulations issued by the CFPB. Accordingly, HUD is removing the regulations from title 24 of the Code of Federal Regulations.

II. Justification for Final Rulemaking

Pursuant to the Administrative Procedure Act (APA), notice and comment are not required prior to the issuance of a final rule if an agency, for good cause, finds that ''notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' [5] HUD finds that public notice and comment are not necessary for this rulemaking because the Dodd-Frank Act transferred all authority, including rulemaking authority, for RESPA, the SAFE Act, and the ILSFDA to the CFPB as of July 21, 2011. Therefore, HUD's rules for these laws are no longer operative. The removal of these regulations from title 24 of the Code of Federal Regulations is clerical in nature and will reduce any possible confusion that may result from having two sets of rules addressing these laws.

For these reasons, HUD has determined that it is unnecessary to delay the effectiveness of this rule in order to solicit prior public comment.

III. Findings and Certification

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because HUD has determined that good cause exists to issue this rule without prior public comment, this rule is not subject to the requirement to publish an initial or final regulatory flexibility analysis under the RFA as part of such action.

Unfunded Mandates Reform

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) [6] requires that an agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year. If a budgetary impact statement is required, section 205 of UMRA also requires an agency to identify and consider a reasonable number of regulatory alternatives before promulgating a rule.[7] However, the UMRA applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to the APA.[8] As discussed above, HUD has determined, for good cause, that the APA does not require general notice and public comment on this rule and, therefore, the UMRA does not apply to this final rule.

Executive Order 13132, Federalism

Executive Order 13132 (entitled ''Federalism'') prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the rule preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive order. This final rule will not have federalism implications and would not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the Executive order.

Environmental Review

This final rule does not direct, provide for assistance or loan and mortgage insurance for, or otherwise govern, or regulate, real property acquisition, disposition, leasing, rehabilitation, alteration, demolition, or new construction, or establish, revise, or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under 24 CFR 50.19(c)(1), this final rule is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

List of Subjects

24 CFR Part 1710

Consumer protection, Land sales, Reporting and recordkeeping requirements.

24 CFR Part 1715

Advertising, Consumer protection, Fraud, Land sales.

24 CFR Part 1720

Administrative practice and procedure.

24 CFR Part 3400

Licensing, Mortgages, Registration, Reporting and recordkeeping requirements.

24 CFR Part 3500

Consumer protection, Housing, Mortgages, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, and under the authority of 42 U.S.C. 3535(d), title 24 of the Code of Federal Regulations is amended as follows:

PART 1710—[REMOVED]

■ 1. Remove part 1710.

PART 1715—[REMOVED]

■ 2. Remove part 1715.

[1] Public Law 111–203, 124 Stat. 1376, approved July 21, 2010.

[2] 12 U.S.C. 5581. *See* Dodd-Frank Act, section 1061(b)(7).

[3] See *http://www.gpo.gov/fdsys/pkg/FR-2010-09-20/pdf/2010-23487.pdf.*

[4] *See* 12 CFR part 1024 for RESPA, 12 CFR parts 1007 and 1008 for the SAFE Act, and 12 CFR part 1024 for ILSFDA.

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

[6] 2 U.S.C. 1532.

[7] 2 U.S.C. 1534.

[8] 2 U.S.C. 1532(a).

PART 1720—[REMOVED]

■ 3. Remove part 1720.

PART 3400—[REMOVED]

■ 4. Remove part 3400.

PART 3500—[REMOVED]

■ 5. Remove part 3500.

Dated: June 10, 2014.

Shaun Donovan,

Secretary.

[FR Doc. 2014–14007 Filed 6–13–14; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–1072]

RIN 1625–AA09

Drawbridge Operation Regulation; Terrebonne Bayou, LA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is finalizing the interim rule that governs the operating schedule of the St. Ann swing bridge across Terrebonne Bayou, mile 28.8, at Bourg, Terrebonne Parish, Louisiana. The rule will allow the bridges to operate on signal if at least 24 hours advanced notice is given. This rule increases the efficiency of operations allowing for the safe navigation of vessels through the bridge while recognizing the low volume of vessel traffic through the bridge.

DATES: This final rule is effective June 16, 2014.

ADDRESSES: Documents mentioned in this preamble are part of Docket Number USCG–2013–1072. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. David Frank; Bridge Administration Branch, Eighth Coast Guard District; telephone 504–671–2128, email *david.m.frank@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

CFR Code of Federal Regulations
DHS Department of Homeland Security
USCG United States Coast Guard
NEPA National Environmental Policy Act
§ Section Symbol
U.S.C. United States Code
MGL Mean Gulf Level
SR State Route

A. Regulatory History and Information

On February 12, 2014, we published an interim rule with request for comments entitled, ''Drawbridge Operation Regulation; Terrebonne Bayou, LA'' in the **Federal Register** (79 FR 8270). We received no comments on the interim rule. No public meeting was requested, and none was held.

B. Basis and Purpose

The U.S. Coast Guard received a request to modify the existing operating schedule of the new St. Ann swing bridge across Terrebonne Bayou, mile 28.8, at Bourg, Terrebonne Parish, Louisiana. The request follows completion of the new swing bridge and accommodates current traffic needs, rather than opening on signal at all times. As requested, the bridge will open on signal if at least 24 hours advanced notification is given.

This change allows the bridge owner to open the bridge for vessel traffic with sufficient notice while removing the requirement that a bridge tender be on the bridge at all times.

Since completion of the new bridge, no openings have been requested by mariners and several of the bridges downstream of the swing bridge are operated under special operating regulations published in 33 CFR 117.505. These special operating regulations increase efficiency and currently operate without issue. The SR 24 (Presquille Isle) bridge, located 2.5 miles upstream of the St. Ann swing bridge at mile 31.3 in Bourg, is a fixed bridge with a vertical clearance of 3.4 feet above mean high water, elevation 3.4 feet Mean Gulf Level (MGL). The primary affect of this change is limited to the property owners located on and vessels transiting this waterway between the St. Ann swing bridge and the SR 24 (Presquille Isle) bridge.

C. Discussion of Comments, Changes and the Final Rule

An interim rule with a request for comments was established on February 12, 2014. No comments were received and no objections to the interim rule was received.

No changes to the regulatory text were made between the interim rule and the final rule. Therefore, this final rule retains paragraph (b) of the interim rule in 33 CFR 117.505 for this waterway. Further, it retains paragraph (a) and the redesignation of the already existing paragraphs for bridges at mile markers above 28.8. This rule allows the bridge to open on signal if at least 24 hours advanced notification is given.

As no vessels have transited through this bridge site in the last two years and only 15 openings were requested since 2008, this regulation will have a minimal affect on the property owners located in and vessels transiting the area. Additionally, the bridge can be opened in less than four hours if there is an emergency on the waterway.

E. Regulatory Analyses

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

1. Regulatory Planning and Review

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

This rule allows the limited number of vessels using this stretch of the waterway the opportunity to transit with proper notification. As this bridge has not opened for vessel traffic during the two years (11/2011 to 11/2013) that the new bridge was under construction and only 15 times since 2008, this regulation will have a minimal affect on those property owners and vessels who wish to use the waterway.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations

that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would 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 property owners or vessel operators who wish to transit on Terrebonne Bayou between mile 28.8 and mile 31.3. However, as provided in this rule and currently under 33 CFR 117.505, vessel owners will still be able to transit the bridge if proper notification is given and in the case of an emergency.

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 calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

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

6. Protest Activities

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

7. Unfunded Mandates Reform Act

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

8. Taking of Private Property

This rule 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 might disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it 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 guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that 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 simply promulgates the operating regulations or procedures for drawbridges. This rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction.

Under figure 2–1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

List of Subjects in 33 CFR Part 117

Bridges.

Accordingly, the interim rule amending 33 CFR part 117 which was published at 79 FR 8270 on February 12, 2014 is adopted as a final rule without change.

Dated: May 19, 2014.

Kevin S. Cook,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 2014–13270 Filed 6–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–0452]

Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Atlantic City, NJ

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the US 40–322 (Albany Avenue) Bridge across Inside Thorofare, NJICW mile 70.0, at Atlantic City, NJ. The deviation is necessary to facilitate the Challenge Atlantic City Triathlon. The deviation allows the bridge to remain in the closed position to ensure the safety of event participants and spectators.

DATES: This deviation is effective from 11 a.m. until 4 p.m. on June 29, 2014.

ADDRESSES: The docket for this deviation [USCG–2014–0452] is available at *http://www.regulations.gov.* Type the docket number in the ''Search'' box and click ''Search.'' Click on the Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140, on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Kashanda Booker, Bridge Management Specialist, Fifth Coast Guard District, telephone (757) 398–6227, email: *Kashanda.l.booker@uscg.mil.* If you have questions on reviewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The Atlantic City Emergency Management Office has requested a temporary deviation from the current operating regulation of the US 40–322 (Albany Avenue) Bridge across Inside Thorofare, NJICW mile 70.0, at Atlantic City, NJ. The closure has been requested to ensure the safety of the runners and spectators that will be participating in the Challenge Atlantic City Triathlon on June 29, 2014. Under this temporary deviation, the US 40–322 (Albany Avenue) Bridge will remain in the closed position from 11 a.m. through 4 p.m. on June 29, 2014.

The vertical clearance of this bascule bridge is approximately 10 feet above mean high water in the closed position and unlimited in the open position. The current operating regulation is outlined at 33 CFR 117.733(f), which requires that on the weekdays during this time of year, the bridge shall open on signal; except that from 11 p.m. to 7 a.m., the draw need only open if at least four hours of notice is given, from 9 a.m. to 4 p.m. and from 6 p.m. to 9 p.m., the draw need only open on the hour and half hour, and from 4 p.m. to 6 p.m. the draw need not open.

Vessels that can pass under the bridge without a bridge opening may do so at all times. The bridge will be able to open for emergencies. The Atlantic Ocean is an alternate route for vessels with mast heights greater than 10 feet. The Coast Guard will inform the users of the waterway through our Local and Broadcast Notices to Mariners of the closure periods so that vessels can plan their transits to minimize any impact caused by the temporary deviation. At all other times during the affected period, the bridge will operate as outlined at 33 CFR 117.733(f).

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

Dated: June 4, 2014.

Waverly W. Gregory, Jr.,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2014–14059 Filed 6–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–0449]

Drawbridge Operation Regulation; Atlantic Intracoastal Waterway (AIWW), Wrightsville Beach, NC, and Northeast Cape Fear River, Wilmington, NC

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulations.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedules that govern two North Carolina Department of Transportation (NCDOT) drawbridges: The S.R. 74 Bridge, across the AIWW, mile 283.1, at Wrightsville Beach, NC, and the Isabel S. Holmes Bridge across the Northeast Cape Fear River, mile 1.0, at Wilmington, NC. The deviation is necessary to accommodate the annual Beach2Battleship Iron and Half Iron Distance Triathlons. This deviation allows the bridges to remain in the closed position during the races.

DATES: This deviation is effective from 7 a.m. through 6 p.m. on Saturday, October 25, 2014.

ADDRESSES: The docket for this deviation [USCG–2014–0449] 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 Jim Rousseau, Bridge Management Specialist, Coast Guard; telephone 757–398–6557, email *James.L.Rousseau2@uscg.mil.* If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: AAA Series Director of SetUp Events, on behalf of NCDOT, has requested a temporary deviation from the current operating regulations for the S.R. 74 Bridge, across AIWW, mile 283.1, at Wrightsville Beach, NC and the Isabel S. Holmes Bridge across the Northeast Cape Fear River, mile 1.0, at Wilmington, NC. The requested deviation is to accommodate the annual Beach2Battleship Iron and Half-Iron Distance Triathlons scheduled for Saturday, October 25, 2014. To facilitate these events, the draw of the S.R. 74 Bridge will be maintained in the closed position from 7 a.m. to 11 a.m. and the draw of the Isabel S. Holmes Bridge will be maintained in the closed position from 10 a.m. to 6 p.m. Extended closure times were requested for the event beyond the times published in the current regulations based on tide dependant races.

The S.R. 74 Bridge is a double-leaf bascule drawbridge with a vertical clearance of 20 feet at mean high water in the closed position, the current operating schedule is set out in 33 CFR 117.821(a)(4). During the month of October, the bridge is required to open on the hour from 7 a.m. to 7 p.m., except 7 a.m. to 10:30 a.m. on the last Saturday of October of every year when the draw need not open for vessels due to annual races.

The Isabel S. Holmes Bridge is a double-leaf bascule drawbridge with a vertical clearance of 40 feet at mean high water in the closed position. The current operating schedule is set out in 33 CFR 117.829(a): The regulation requires that during the month of October, from noon to 11:59 p.m. on the last Saturday of October of every year,

that the draw need not open for vessels, to accommodate annual races. Most waterway traffic for both bridges consists of recreational boats with a few barges and tugs in the daytime.

Vessels able to pass under these bridges in the closed position may do so at any time and are advised to proceed with caution. The bridges will be able to open for emergencies as soon as safely possible. There are no alternate routes available to vessels transiting these waterways. These races have been an annual event; therefore, local waterway users should be familiar with these closures. The Coast Guard will also inform additional waterway users through our Local and Broadcast Notices to Mariners of the closure periods for the bridge so that vessels can arrange their transits to minimize any impacts caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridges must return to their regular operating schedules immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 4, 2014.

Waverly W. Gregory, Jr.,

Bridge Program Manager,Fifth Coast Guard District.

[FR Doc. 2014–14060 Filed 6–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2014–0334]

Safety Zones; Annual Events in the Captain of the Port Detroit Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce various safety zones for annual marine events in the Captain of the Port Detroit zone from 9 p.m. on June 19, 2014, through 11:59 p.m. on September 1, 2014. Enforcement of these zones is necessary and intended to ensure safety of life on the navigable waters immediately prior to, during, and immediately after these fireworks events. During the aforementioned period, the Coast Guard will enforce restrictions upon, and control movement of, vessels in a specified area immediately prior to, during, and immediately after fireworks events. During each enforcement period, no person or vessel may enter the respective safety zone without permission of the Captain of the Port.

DATES: The regulations in 33 CFR 165.941 will be enforced at various dates and times between 9 p.m. on June 19, 2014, through 11:59 p.m. on September 1, 2014.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email LT Adrian Palomeque, Prevention, U.S. Coast Guard Sector Detroit, 110 Mount Elliot Ave., Detroit MI 48207; telephone (313) 568–9508; email *Adrian.F.Palomeque@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones listed in 33 CFR 165.941, Safety Zones; Annual Events in the Captain of the Port Detroit Zone, at the following dates and times for the following events, which are listed in chronological order by date and time of the event:

(1) *Bay-Rama Fishfly Festival Fireworks, New Baltimore, MI.* The safety zone listed in 33 CFR 165.941(a)(29) will be enforced from 9 p.m. to 11 p.m. on June 19, 2014.

(2) *Sigma Gamma Fireworks, Grosse Pointe Farms, MI.*

The safety zone listed in 33 CFR 165.941(a)(51) will be enforced from 9:30 p.m. to 10:15 p.m. on June 23, 2014.

(3) *Ford (formerly Target) Fireworks, Detroit, MI.* The first safety zone, listed in 33 CFR 165.941(a)(50)(i)(A), on the waterfront area adjacent to 1351 Jefferson Avenue, Detroit, Michigan will be enforced from 8 a.m. on June 20, 2014 to 8 p.m. on June 23, 2014. In the case of inclement weather on June 23, 2014, the first safety zone will be enforced one additional day, from 8 a.m. on June 20, 2014 to 8 p.m. on June 24, 2014.

The second safety zone, listed in 33 CFR 165.941(a)(50)(i)(B), will be enforced from 8 p.m. to 11:55 p.m. on June 23, 2014. In the case of inclement weather on June 23, 2014, the second safety zone will be enforced from 8 p.m. to 11:55 p.m. on June 24, 2014.

The third safety zone listed in 33 CFR 165.941(a)(50)(i)(C) will be enforced from 6 p.m. to 11:55 p.m. on June 23, 2014. In the case of inclement weather on June 23, 2014, the third safety zone will be enforced from 6 p.m. to 11:55 p.m. on June 24, 2014.

(4) *St. Clair Shores Fireworks, St. Clair Shores, MI.* The safety zone listed in 33 CFR 165.941(a)(39) will be enforced from 10 p.m. to 10:45 p.m. on June 27, 2014. In the case of inclement weather on June 27, 2014, this safety zone will be enforced from 10 p.m. to 10:45 p.m. on June 28, 2014.

(5) *Grosse Pointe Farms Fireworks, Grosse Pointe Farms, MI.* The safety zone listed in 33 CFR 165.941(a)(35) will be enforced from 10 p.m. to 10:30 p.m. on June 28, 2014.

(6) *Algonac Pickerel Tournament Fireworks, Algonac, MI.* The safety zone listed in 33 CFR 165.941(a)(37) will be enforced from 10 p.m. to 10:30 p.m. on July 3, 2014. In the case of inclement weather on July 3, 2014, this safety zone will be enforced from 10 p.m. to 10:30 p.m. on July 5, 2014.

(7) *Bay City Fireworks Festival, Bay City, MI.* The safety zone listed in 33 CFR 165.941(a)(53) will be enforced from 10:05 p.m. to 10:55 p.m. on July 3, 4, and 5, 2014. In the case of inclement weather on any scheduled day, this safety zone will be enforced from 10:05 p.m. to 10:55 p.m. on July 6, 2014.

(8) *Grosse Pointe Yacht Club 4th of July Fireworks, Grosse Pointe Shores, MI.* The safety zone listed in 33 CFR 165.941(a)(41) will be enforced from 10 p.m. to 10:30 p.m. on July 4, 2014. In the case of inclement weather on July 4, 2014, this safety zone will be enforced from 10 p.m. to 10:30 p.m. on July 5, 2014.

(9) *Port Austin Fireworks, Port Austin, MI.* The safety zone listed in 33 CFR 165.941(a)(33) will be enforced from 10 p.m. to 10:30 p.m. on July 4, 2014.

(10) *Lexington Independence Festival Fireworks, Lexington, MI.* The safety zone listed in 33 CFR 165.941(a)(42) will be enforced from 10 p.m. to 10:30 p.m. on July 4, 2014. In the case of inclement weather on July 4, 2014, this safety zone will be enforced from 10 p.m. to 10:30 p.m. on July 5, 2015.

(11) *Belle Maer Harbor 4th of July Fireworks, Harrison Township, MI.* The safety zone listed in 33 CFR 165.941(a)(46) will be enforced from 10 p.m. to 10:30 p.m. on July 4, 2014. In the case of inclement weather on July 4, 2014, this safety zone will be enforced from 10 p.m. to 10:30 p.m. on July 5, 2014.

(12) *Trenton Fireworks, Trenton, MI.* The safety zone listed in 33 CFR 165.941(a)(45) will be enforced from 10 p.m. to 10:30 p.m. on July 4, 2014. In the case of inclement weather on July 4, 2014, this safety zone will be enforced from 10 p.m. to 10:30 p.m. on July 5, 2015.

(13) *Port Sanilac Fireworks, Port Sanilac, MI.* The safety zone listed in 33 CFR 165.941(a)(38) will be enforced from 10 p.m. to 10:30 p.m. on July 5, 2014.

(14) *Au Gres City Fireworks, Au Gres, MI.* The safety zone listed in 33 CFR

165.941(a)(3) will be enforced from 10 p.m. to 10:30 p.m. on July 5, 2014.

(15) *Harrisville Fireworks, Harrisville, MI.* The safety zone listed in 33 CFR 165.941(a)(7) will be enforced from 9:30 p.m. to 11:30 p.m. on July 5, 2014.

(16) *Tawas City 4th of July Fireworks, Tawas City, MI.* The safety zone listed in 33 CFR 165.941(a)(47) will be enforced from 10 p.m. to 11 p.m. on July 5, 2014.

(17) *Nautical Mile Venetian Festival Fireworks, St. Clair Shores, MI.* The safety zone listed in 33 CFR 165.941(a)(10) will be enforced from 10 p.m. to 10:30 p.m. on July 19, 2014. In the case of inclement weather on July 19, 2014, this safety zone will be enforced from 10 p.m. to 10:30 p.m. on July 20, 2014.

(18) *Detroit International Jazz Festival Fireworks, Detroit, MI.* The safety zone listed in 33 CFR 165.941(a)(12) will be enforced from 10 p.m. to 11:59 p.m. on August 30 and 31, 2014. In the case of inclement weather on either day, this safety zone will be enforced from 10 p.m. to 11:59 p.m. on September 1, 2014.

Under the provisions of 33 CFR 165.23, entry into, transiting, or anchoring within these safety zones during the enforcement period is prohibited unless authorized by the Captain of the Port Detroit or his designated representative. Vessels that wish to transit through the safety zones may request permission from the Captain of the Port Detroit or his designated representative. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Detroit on channel 16, VHF–FM. The Coast Guard will give notice to the public via Local Notice to Mariners and VHF radio broadcasts that the regulation is in effect.

This document is issued under authority of 33 CFR 165.941 and 5 U.S.C. 552(a). If the Captain of the Port determines that any of these safety zones need not be enforced for the full duration stated in this document, he or she may suspend such enforcement and notify the public of the suspension via a Broadcast Notice to Mariners.

Dated: June 3, 2014.

J.E. Ogden,

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

[FR Doc. 2014–14054 Filed 6–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2014–0351]

Safety Zones; Fireworks Events in Captain of the Port New York Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of Enforcement of Regulation.

SUMMARY: The Coast Guard will enforce various safety zones within the Captain of the Port New York Zone on the specified dates and times. This action is necessary to ensure the safety of vessels and spectators from hazards associated with fireworks displays. During the enforcement period, no person or vessel may enter the safety zones without permission of the Captain of the Port (COTP).

DATES: The regulation for the safety zones described in 33 CFR 165.160 will be enforced on the dates and times listed in the table below.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Lieutenant Junior Grade Kristopher Kesting, Coast Guard; telephone 718–354–4154, email *Kristopher.R.Kesting@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones listed in 33 CFR 165.160 on the specified dates and times as indicated in Table 1 below. This regulation was published in the **Federal Register** on November 9, 2011 (76 FR 69614).

TABLE 1

1. SVP Strategic Events Fireworks, Ellis Island Safety Zone, 33 CFR 165.160(2.2).	• Launch site: A barge launch located between Federal Anchorages 20–A and 20–B, in approximate position 40°41′45″ N, 074°02′09″ W (NAD 1983), about 365 yards east of Ellis Island. This Safety Zone is a 360-yard radius from the barge. • Date: June 13, 2014. • Time: 9:30 p.m.–10:40 p.m.
2. Bronx Tourism Council Fireworks, Orchard Beach Safety Zone, 33 CFR 165.160(3.11).	• Launch site: All waters of Long Island Sound in an area bound by the following points: 40°51′43.5″ N, 073°47′36.3″ W; thence to 40°52′12.2″ N, 073°47′13.6″ W; thence to 40°52′02.5″ N, 073°46′47.8″ W; thence to 40°51′32.3″ N, 073°47′09.9″ W (NAD 1983), thence to the point of origin. • Date: June 27, 2014. • Rain Date: June 28, 2014. • Time: 8:50 p.m.–10:10 p.m.
3. Marriott International Corp. Fireworks, Ellis Island Safety Zone, 33 CFR 165.160(2.2).	• Launch site: A barge launch located between Federal Anchorages 20–A and 20–B, in approximate position 40°41′45″ N, 074°02′09″ W (NAD 1983), about 365 yards east of Ellis Island. This Safety Zone is a 360-yard radius from the barge. • Date: July 22, 2014. • Time: 8:45 p.m.–10:10 p.m.

Under the provisions of 33 CFR 165.160, vessels may not enter the safety zones unless given permission from the COTP or a designated representative. Spectator vessels may transit outside the safety zones but may not anchor, block, loiter in, or impede the transit of other vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.160(a) and 5 U.S.C. 552 (a). In addition to this notice in the

Federal Register, the Coast Guard will provide mariners with advanced notification of enforcement periods via the Local Notice to Mariners and marine information broadcasts. If the COTP determines that a safety zone 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 safety zone.

Dated: May 29, 2014

J.F. Dixon,

Captain, U.S. Coast Guard, Acting Captain of the Port New York.

[FR Doc. 2014–14052 Filed 6–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2011–0228]

RIN 1625–AA00

Safety Zone, Brandon Road Lock and Dam to Lake Michigan Including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a segment of the Safety Zone; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, Calumet-Saganashkee Channel on all waters of the Chicago Sanitary and Ship Canal from Mile Marker 296.1 to Mile Marker 296.7 at specified times from June 9 to August 1, 2014. This action is necessary to protect the waterway, waterway users, and vessels from the hazards associated with the U.S. Army Corps of Engineers' installation of a new permanent fish barrier.

During the enforcement periods listed below, entry into, transiting, mooring, laying-up or anchoring within the enforced area of this safety zone by any person or vessel is prohibited unless authorized by the Captain of the Port, Lake Michigan, or his designated representative.

DATES: The regulations in 33 CFR 165.930 will be enforced from 7 a.m. to 4 p.m. daily from June 9 to June 13, June 16 to June 20, June 23 to June 27, 2014 and from 7 a.m. to noon and 1:00 p.m. to 4 p.m. daily from June 30 to July 4, July 7 to July 11, July 14 to July 18, July 21 to July 25, and July 28 to August 1, 2014.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email MST1 John Ng, Waterways Department, Coast Guard Marine Safety Unit Chicago, telephone 630–986–2155, email address *john.h.ng@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a segment of the Safety Zone; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, Calumet-Saganashkee Channel, Chicago, IL, listed in 33 CFR 165.930. Specifically, the Coast Guard will enforce this safety zone between Mile Marker 296.1 to Mile Marker 296.7 on all waters of the Chicago Sanitary and Ship Canal. Enforcement will occur from 7 a.m. to 4 p.m. daily from June 9 to June 13, June 16 to June 20, June 23 to June 27, 2014, and from 7 a.m. to noon and 1:00 p.m. to 4 p.m. daily from June 30 to July 4, July 7 to July 11, July 14 to July 18, July 21 to July 25, and July 28 to August 1, 2014. This enforcement action is necessary because the Captain of the Port, Lake Michigan, has determined that the U.S. Army Corps of Engineers' installation of a new permanent fish barrier poses risks to life and property. Because of these risks, it is necessary to control vessel movement during the operations to prevent injury and property loss.

In accordance with the general regulations in § 165.23 of this part, entry into, transiting, mooring, laying up, or anchoring within the enforced area of this safety zone by any person or vessel is prohibited unless authorized by the Captain of the Port, Lake Michigan, or his or her designated representative.

Vessels that wish to transit through the safety zone may request permission from the Captain of the Port, Lake Michigan. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Lake Michigan on VHF channel 16.

This document is issued under authority of 33 CFR 165.930 and 5 U.S.C. 552(a). In addition to this publication in the **Federal Register**, the Captain of the Port, Lake Michigan, will also provide notice through other means, which may include Broadcast Notice to Mariners, Local Notice to Mariners, local news media, distribution in leaflet form, and on-scene oral notice. Additionally, the Captain of the Port, Lake Michigan, may notify representatives from the maritime industry through telephonic and email notifications.

Dated: June 6, 2014.

M.W. Sibley,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

[FR Doc. 2014–14057 Filed 6–13–14; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 49

[EPA–HQ–OAR–2011–0151; FRL–9911–46–OAR]

RIN 2060–AS24

Review of New Sources and Modifications in Indian Country Amendments to the Registration and Permitting Deadlines for True Minor Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is issuing final amendments to the ''Federal Minor New Source Review Program in Indian Country'' (we refer to this new source review rule as the ''Indian Country Minor NSR Rule''). We are amending the Indian Country Minor NSR Rule in two ways. First, we are extending the NSR minor source permitting deadline for true minor sources in the oil and natural gas sector from September 2, 2014, to March 2, 2016. Second, we are changing the registration deadline for new true minor sources in the oil and natural gas sector to conform with the changes to the NSR minor source permitting deadline. We are also eliminating a requirement for all true minor sources that begin operation before September 2, 2014, to obtain a minor NSR permit 6 months after EPA publishes a general permit because the provision no longer affects any source.

DATES: The final rule is effective on July 16, 2014.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2011–0151. All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available

either electronically in *http://www.regulations.gov* or in hard copy at the Air and Radiation Docket, EPA/DC, William Jefferson Clinton West Building, Room 3334, 1301 Constitution Avenue NW., Washington, DC 20460. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the Air and Radiation Docket is (202) 566–1742.

FOR FURTHER INFORMATION CONTACT: For general questions about this document, please contact Mr. Christopher Stoneman, Outreach and Information Division, Office of Air Quality Planning and Standards (C304–01), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number (919) 541–0823; fax number (919) 541–0072; email address: *stoneman.chris@epa.gov*. For questions about the applicability of this action to a particular source, please contact the appropriate EPA region contact for your state:

EPA Region 6 (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas)—Ms. Bonnie Braganza, Air Permits Section, Multimedia Permitting and Planning Division, Environmental Protection Agency Region 6, Dallas, Texas 75202; telephone number (214) 665–7340; fax number (214) 665–6762; email address: *braganza.bonnie@epa.gov*.

EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming)—Ms. Claudia Smith, Air Program, Mail Code 8P–AR, Environmental Protection Agency Region 8, Denver, Colorado 80202; telephone number (303) 312–6520; fax number (303) 312–6649; email address: *smith.claudia@epa.gov*.

EPA Region 9 (Arizona, California, Hawaii, Nevada, and Pacific Islands)—Ms. Lisa Beckham, Permits Office, Air Division, Air-3, Environmental Protection Agency Region 9, San Francisco, California 94105; telephone number (415) 972–3811; fax number (415) 947–3579; email address: *beckham.lisa@epa.gov*.

All other EPA regions—The permit reviewer for minor sources in Indian country for your EPA region. You can find the list of the EPA permit reviewers at *http://www.epa.gov/air/tribal/tribalnsr.html*. Scroll down to the heading, ''Existing Source Registration,'' and click on ''Reviewing Authority'' to access ''Environmental Protection Agency's Reviewing Authorities for Permits.''

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

Entities potentially affected by this final rule include owners and operators of true minor emission sources in all industry groups planning to locate or already located in Indian country. Categories and entities potentially affected by this action are expected to include, but are not limited to, the following:

Category	NAICS [a]	Examples of regulated entities
Industry	21111	Oil and gas production/operations.
	211111	Crude petroleum and natural gas extraction.
	211112	Natural gas liquid extraction.
	212321	Sand and gravel mining.
	213111	Drilling oil and gas wells.
	213112	Support activities for oil and gas operations.
	22111	Electric power generation.
	221210	Natural gas distribution.
	22132	Sewage treatment facilities.
	23899	Sand and shot blasting operations.
	311119	Animal food manufacturing.
	3116	Beef cattle complex, slaughter house and meat packing plant.
	321113	Sawmills.
	321212	Softwood veneer and plywood manufacturing.
	32191	Millwork (wood products manufacturing).
	323110	Printing operations (lithographic).
	324121	Asphalt hot mix.
	3251	Chemical preparation.
	32711	Clay and ceramics operations (kilns).
	32732	Concrete batching plant.
	3279	Fiber glass operations.
	331511	Casting foundry (iron).
	3323	Fabricated structural metal.
	332812	Surface coating operations.
	3329	Fabricated metal products.
	33311	Machinery manufacturing.
	33711	Wood kitchen cabinet manufacturing.
	42451	Grain elevator.
	42471	Gasoline bulk plant.
	4471	Gasoline station.
	54171	Professional, scientific, and technical services.
	562212	Solid waste landfill.
	72112	Casino hotels.
	811121	Auto body refinishing.

[a] North American Industry Classification System.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be subject to the Indian Country Minor NSR Program, and, therefore, potentially affected by this action. To determine whether your facility is affected by this action, you should examine the applicability criteria in 40 CFR 49.151 through 49.161 (i.e., the Indian Country Minor NSR Rule). If you have any questions regarding the applicability of

this action to a particular entity, contact the appropriate person listed under **FOR FURTHER INFORMATION CONTACT**.

B. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this final rule will also be available on the World Wide Web. Following signature by the EPA Administrator, a copy of this final rule will be posted in the regulations and standards section of our NSR home page located at *http://www.epa.gov/nsr* and on the tribal NSR page at *http://www.epa.gov/air/tribal/tribalnsr.html.*

II. Purpose

In July 2011, EPA finalized a rule that includes a minor new source review NSR permitting program for sources in Indian country. We call the minor source permitting part of the rule: The ''Indian Country Minor NSR Rule.'' [1] We call a permit issued under this program a minor NSR permit. Under the rule issued in 2011, new and modified minor sources and major sources that make minor modifications, located in Indian country, must obtain a permit prior to commencing construction (a pre-construction permit) beginning on September 2, 2014.

The purpose of today's rulemaking is to finalize the following two amendments to the Indian Country Minor NSR Rule:

(1) Extend the minor NSR permitting deadline for true minor sources in the oil and natural gas sector located, or planning to locate, in Indian country; and

(2) Adjust the registration deadline to conform to the extended permitting deadline for true minor sources in the oil and natural gas sector; and

(3) We are also eliminating a requirement for all true minor sources that begin operation before September 2, 2014, to obtain a minor NSR permit 6 months after EPA publishes a general permit. No general permits have been finalized to date, so the provision is now moot.

III. Background

A. Proposed Amendments to the Indian Country Minor NSR Rule

On January 14, 2014, EPA published a proposed rule, ''General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country,'' [2] that included proposed amendments to § 49.151(c)(1)(iii)(B) and § 49.160(c)(1)(ii) and (c)(1)(iii) of the Indian Country Minor NSR Rule. Two of the proposed amendments affect only true minor sources in the oil and natural gas sector: (1) The extension of the deadline by which true minor sources in the oil and natural gas sector must receive minor NSR permits prior to commencing construction; and (2) the deadline by which true minor sources in the oil and natural gas sector must register. The third proposed amendment would affect all true minor sources by eliminating the requirement to obtain a permit beginning 6 months after EPA publishes a general permit for a source category in the **Federal Register**, if that date is before September 2, 2014.

EPA proposed other changes to the Indian Country Minor NSR Rule in the ''General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country.'' These other proposed changes are not part of today's final rule and will be addressed in a separate final rulemaking.

EPA also proposed amendments to the Indian Country Minor NSR Rule in the proposed rule, ''Review of New Sources and Modifications in Indian Country—Amendments to the Indian Country Minor New Source Review Rule,'' published in the **Federal Register** on June 4, 2013 (78 FR 33266). These proposed amendments addressed the list of emissions units and activities that are exempt from the Indian Country Minor NSR Program and definitions of ''commence construction'' and ''begin construction.'' We finalized these amendments in a final rule published in the **Federal Register** on May 30, 2014 (79 FR 31035).

B. How might EPA streamline NSR permitting for true minor sources in the oil and natural gas sector?

When we proposed the extension of the permit deadline for true minor sources in the oil and natural gas sector, we explained that an extension of the deadline was necessary, in part, because of the additional time required to appropriately address issues associated with this sector. To begin the process of addressing these issues, EPA published an Advance Notice of Proposed Rulemaking (ANPR) to solicit broad feedback on the most effective and efficient means of implementing the Indian Country Minor NSR Rule for new and modified true minor sources and minor modifications at major sources in the oil and natural gas sector located in Indian Country.[3] In particular, the ANPR discusses various approaches, including a federal implementation plan (FIP), which would establish requirements for new and modified true minor sources and minor modifications at major sources (and possibly existing sources as well); and a general permit, which would establish a streamlined permitting approach for new and modified minor sources and minor modifications at major sources under the Indian Country Minor Source NSR Rule. EPA is also seeking feedback on other possible approaches such as a permit by rule.

After considering feedback received in response to the ANPR,[4] EPA intends to propose action on regulating new and modified true minor sources and minor modifications at major sources, and possibly also existing sources of oil and natural gas production operations in Indian country, in a way that: (1) Ensures the timely implementation of environmental protections; (2) maximizes the efficient use of resources; (3) minimizes preventable delays in economic development; and (4) proactively mitigates potential adverse air quality-related environmental and public health impacts that could result from the rapid growth in emissions from these sources.

IV. What final action is EPA taking on amendments to the Indian Country Minor NSR Rule?

Today's final rule promulgates three amendments to the Indian Country Minor NSR Rule. This section discusses those three amendments and our rationale for adopting them.

This final rule amends § 49.151(c)(1)(iii)(B) in two ways. First, we are eliminating the requirement to obtain a permit beginning 6 months after the general permit for a source category is published in the **Federal Register**, if that date is before September 2, 2014. The purpose of this provision was to ensure that sources would obtain preconstruction permits as soon as practicable after a general permit had been issued rather than waiting until September 2, 2014. However, today's date is fewer than 6 months from September 2, 2014, making the provision unnecessary. Eliminating it

[1] The Indian Country Minor NSR Rule is a component of ''Review of New Sources and Modifications in Indian Country, Final Rule'' July 1, 2011 (76 FR 38748) that applies to new and modified minor sources and minor modifications at major sources. It is codified at 40 CFR 49.151–49.161.

[2] The ''General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country'' was proposed on January 14, 2014 (79 FR 2546). Proposed changes to the Indian Country Minor NSR rule are on pages 79 FR 2570–2572.

[3] See 79 FR 32502, published on June 5, 2014.

[4] Electronic copies of the ANPR are available in the docket and in the regulations and standards section of our NSR home page located at *http://www.epa.gov/nsr.*

de-clutters and clarifies the regulatory text.

Second, we are extending the permitting deadline for all true minor sources (both new and modified true minor sources and minor modifications at existing major sources) within the oil and natural gas sector located in Indian country.[5] Today's final rule changes the deadline from September 2, 2014, to March 2, 2016, for true minor sources in the oil and natural gas sector that either begin new construction or modifications to an existing source on or after that date.

This final rule also amends a provision in the Indian Country Minor NSR Rule governing existing minor source registration timeframes (§ 49.151(c)(1)(iii)(A)) to conform to the changes to the registration date that we made to another provision in the Indian Country Minor NSR rule on the same topic (§ 49.160(c)(1)(ii) and (c)(1)(iii)) and to eliminate redundant text that addresses the effective date of the Indian Country Minor NSR Rule. We did not propose either change, but had intended to make the changes we proposed throughout the regulatory text to ensure consistency. The first change to § 49.151(c)(1)(iii)(A), which addresses the registration date for true minor sources in Indian Country, is necessary to ensure consistency with the changes we proposed in § 49.160(c)(1)(ii) and (c)(1)(iii). Without the change in § 49.151(c)(1)(iii)(A), the regulatory text would have conflicting requirements. The second change in § 49.151(c)(1)(iii)(A) eliminates ''you must register your source with your reviewing authority in your area within 18 months after the effective date of this program, that is.'' This change eliminates unnecessary existing regulatory text and does not change any requirements.

Today's final rule also amends § 49.160(c)(1)(ii) and (c)(1)(iii) to make registration deadlines consistent with the minor NSR permitting deadline for true minor sources in the oil and natural gas sector. The Indian Country Minor NSR Rule currently requires true minor sources that commence construction between August 30, 2011, and September 2, 2014, to register with the appropriate reviewing authority within 90 days after the source begins operation. If a source commences construction or modification on or after September 2, 2014, its permit application fulfills the registration requirement. Today's rule changes the September 2, 2014, date to March 2, 2016, for true minor sources in the oil and natural gas sector, thereby extending the period during which sources in the oil and natural gas sector must register.

V. Summary of Significant Comments and Responses

We received comments from 28 commenters (twelve tribes or tribal entities, two state or local agencies, and fourteen industry entities) overall on the ''General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country'' proposed rule. The subsections that follow provide a summary of the comments, and our responses to those comments, that relate to the changes discussed in Unit IV. and that we are addressing in today's final rule. The remainder of the comments will be addressed as part of a separate final rule that relates to the general permits (or permits by rule) and other changes to the Indian Country Minor NSR Rule proposed in the ''General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country'' proposed rule.

A. Consultation With Tribal Governments

Comment: One commenter stated that much of EPA's proposed rule violated Executive Order No. 13175 on Consultation and Coordination with Indian Tribal Governments and EPA's May 2011 Policy on Consultation and Coordination with Indian Tribes.

Response: The EPA coordinated with tribal environmental professionals on the development of the ''General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country'' proposed rule, including the proposed amendments to extend the permitting and registration deadlines for true minor sources in the oil and natural gas sector located in Indian country. The coordination consisted of participating in monthly teleconferences. Specifically, on December 19, 2013, we presented an overview of the proposal and welcomed feedback and questions. On March 4, 2014, we met with representatives of the Ute Indian Tribe to hear their concerns regarding the proposed rule.

On December 16, 2013, EPA mailed letters to over 600 tribal leaders to offer consultation. To assist tribes in deciding whether to accept our offer of consultation, we held a conference call on January 6, 2014, during which EPA provided an overview of the proposed changes and answered questions. We did not receive any requests for consultation from tribal governments in response to our letters offering consultation. However, prior to mailing the consultation letters, EPA began consulting with two tribes. Senior EPA officials consulted with the elected Ute Indian Tribe tribal leader and other members of the Ute Indian Tribe, including business committee members, on August 27, 2013, September 12, 2013, and March 21, 2014. Senior EPA officials also consulted with the designated representatives of the elected leaders of the Ute Indian Tribe and the Three Affiliated Tribes on July 26, 2013.

B. Removing the Requirement To Obtain a Permit Beginning 6 Months After the Publication Date of a General Permit

Comment: Two commenters supported eliminating the 6 month requirement, noting that the general permits have not been published, and cannot be finalized prior to 6 months before September 2, 2014. One commenter also noted that the change clarifies that September 2, 2014, is the applicable permitting deadline.

Response: For the reasons explained in this document, this final rule eliminates the requirement.

C. Extending the True Minor Source Permitting Deadline of the Indian Country Minor NSR Rule for True Minor Sources in the Oil and Natural Gas Sector

1. Extension Date

Comment: No commenters opposed extending the true minor source permitting deadline for the Indian Country Minor NSR Rule, although two commenters did express concerns about how the extension would affect air quality. Sixteen commenters supported an extension, citing the need for a streamlined approach to permitting minor sources in the oil and natural gas sector.

One commenter noted that an extension of the deadline is reasonable, given the complexity of the oil and natural gas sector. Another commenter noted that without an extension, companies will have to get individual permits for every facility. One commenter stated that if oil and natural gas sources have to obtain site-specific permits before commencing construction, the delays could have ''profoundly negative effects on the Tribe's mineral estate, its economy and its ability to fund the tribal

[5] Typically, sources in the oil and natural gas sources sector will be assigned to one of the following NAICS codes: 21111 Oil and gas production/operations; 211111 Crude petroleum and natural gas extraction; 211112 Natural gas liquid extraction; 21311 Drilling oil and gas wells; 213112 Support activities for oil and gas operations; and 221210 Natural gas distribution.

government,'' which could affect the tribal government's ability to provide ''much needed social services to its tribal members.'' Other commenters stated that obtaining site-specific permits for true minor sources in the oil and natural gas sector would cause significant and harmful delays due to the resources required to prepare and submit permit applications and the inability of the EPA to review and issue permits in a timely manner. One commenter noted that ''EPA will be inundated with hundreds, maybe thousands, of permit applications'' and has ''insufficient staff to review and approve'' these permits. Another commenter noted that the number of applications for minor source permits would ''overwhelm EPA's limited resources and likely lead to unrealistic lead times and increased uncertainty for sources seeking permits.'' Another commenter stated that even if a general permit was proposed soon for the oil and natural gas sector, five-and-a-half months lead time is not enough for companies to make control decisions and equipment purchases, which often involve waiting lists or require testing to assure controls will work in specific locations.

One commenter stated that EPA should not pick an arbitrary fixed future date for the permitting deadline. Several commenters asked EPA to set the deadline for permitting as a conditional date, i.e., a date 12 months from the publication date or effective date of the general permit for a source category. Commenters were concerned about EPA's ability to issue a final general permit by March 2, 2016. One commenter stated that if a deadline of March 2, 2016, does not provide enough time for EPA to issue a general permit or permit by rule, we ''could end up in the same predicament we find ourselves in today,'' with no general permit or permit by rule in place and a fast-approaching deadline. One commenter noted that it makes no sense to have an effective date until a general permit or permit by rule is issued and effective for a sector.

One commenter requested that EPA allow adequate lead time between the date a final oil and natural gas sector general permit, or permit by rule, is published and the permitting deadline. One commenter noted that 12 months would give oil and natural gas operators sufficient time to read and understand the general permit, or permit by rule, and to prepare hundreds of individual permit applications.

Response: We are aware that EPA's ability to review and issue minor NSR permits for the oil and natural gas sector would be strained without a streamlined approach to permitting for true minor sources in the oil and natural gas sector. We are also aware that delays in issuing permits can be costly to industry and to tribes. To help address these concerns, we are developing a streamlined approach to permitting minor sources in the oil and natural gas sector. As discussed in Unit III.B., we published an ANPR that addresses various aspects of permitting oil and natural gas sources and requests comment from the public on how EPA might best apply federally enforceable limits that protect air quality in Indian country and minimize potentially costly delays.

Following the ANPR, EPA will develop a notice of proposed rulemaking and a final rule. A permitting deadline prior to March 2, 2016, does not allow sufficient time to propose and promulgate a general permit, FIP, or other possible approach (i.e., a permit by rule) for sources in the oil and natural gas sector. However, a deadline date of March 2, 2016, should provide sufficient time for us to complete the regulatory development process and to finalize a streamlined approach for addressing the potential impact of true minor sources in the oil and natural gas sector. Therefore, today's final rule is extending the permitting deadline for true minor sources in the oil and natural gas sector to March 2, 2016.

We do not believe that an open-ended extension of the permit deadline is appropriate for a number of reasons. First, while we believe that an extension of the permitting deadline is necessary in practical terms for the successful implementation of the minor source permitting program for oil and natural gas sources, this means that a true minor source in the oil and natural gas sector that begins construction before March 2, 2016, will not be required to have an NSR permit. We recognize that the extended period of time true minor sources in the oil and natural gas sector will be able to construct without first obtaining an NSR permit could have a negative impact on air quality in Indian country. We believe that establishing a date of March 2, 2016, as the date by which true minor sources must obtain an NSR permit prior to commencing construction will help to minimize any such impacts. A nonspecific deadline conditional on the timing of publication in the **Federal Register** of a general permit could exacerbate any such impacts. Second, an open-ended extension would not provide the certainty that industry representatives have consistently said they need in order to make informed decisions regarding the purchase and locating of equipment. Third, one of the reasons commenters asked EPA for a conditional permitting deadline is the amount of lead time they said sources require to develop permit applications. When public comments were submitted, EPA had not published the ANPR, which discusses the possibility of issuing federally enforceable requirements using a FIP instead of a general permit for true minor sources in the oil and natural gas sector in Indian country. As discussed in the ANPR, an oil and natural gas production FIP would apply directly by regulation and would authorize construction or modification of sources complying with the requirement; sources would not need to submit a permit application or obtain coverage under a permit. This would mean that a source in compliance with the FIP could begin construction at any point after meeting notification requirements, potentially eliminating the need for significant lead time. If EPA issues a general permit or follows another approach instead of a FIP for minor sources in the oil and natural gas sector, then we will take into consideration the need for lead time.

2. Source Categories and Sources in the Oil and Natural Gas Sector Subject to the Permitting Deadline Extension

Comment: Several commenters stated that the permitting deadline extension should apply to all true minor sources at oil and natural gas facilities. One commenter further specified that the permitting deadline extension should apply to glycol dehydrators, compressor stations, natural gas processing plants, and any other gas gathering facilities. Another commenter linked the equipment covered by a general permit to equipment covered by the extension deadline and stated that the general permit should be for storage tanks, dehydrators, and compressor stations. One commenter stated that the permitting deadline extension should include gas gathering activities and asked that the EPA clarify the NAICS code that includes oil and gas gathering activities. One commenter stated that a general permit for stationary engines would be especially relevant for facilities in the oil and gas industry. The commenter also stated that it ''makes no sense to make the program effective for the oil and gas industry until after a general permit or permit by rule has been issued and is effective for . . . all source types used in that sector.''

Several commenters stated that EPA should provide a permitting extension to true minor sources in all source categories.

Response: EPA agrees with the commenters that the permitting extension should apply to all affected emissions units that are located at a true minor source in the oil and natural gas sector.[6] An affected emissions unit, such as a boiler or an internal combustion engine, does not have to be exclusive to the industry, but it must be necessary for, and used in conjunction with, the extraction, production, processing, storage, transmission or distribution of oil or natural gas to be part of the oil and natural gas sector. We decided to apply the extension to all affected emissions units at true minor sources in the oil and natural gas sector because we have yet to determine which affected emissions units will be covered by a general permit, FIP or other approach. Before we decide in a subsequent notice of proposed rulemaking which affected emission units we want to propose to be covered, we want to consider the public comments received on a host of issues outlined in the ANPR. We expect that most affected emissions units at true minor sources in the oil and natural gas sector will be covered by one of the approaches outlined in the ANPR or which come to light in comments received on the ANPR; however, we believe it best to extend the deadline for all affected emissions units at true minor sources in the oil and natural gas sector until we determine exactly which affected emissions units will be covered.

EPA is not extending the permitting deadline for all true minor sources because we do not believe an extension is warranted for other source categories. If general permits, or permits by rule, are not in place for other source categories by September 2, 2014, we would issue site-specific permits for the sources in those source categories that seek minor source permits during what we anticipate to be a short period of time between that date and the date when general permits or permits by rule are available.[7] We believe that the time during which the issuance of site-specific permits may be necessary will be short because we have proposed general permits, or permits by rule, for five source categories in Indian country and expect to propose additional general permits, or permits by rule, later this year.

For the purposes of the permitting and registration deadlines, as specified in §§ 49.151(c)(1)(iii)(A) and (c)(1)(iii)(B), and 49.160(c)(1)(i) through (c)(1)(iii), for true minor sources, an ''oil and natural gas source'' is part of the oil and natural gas sector. The oil and natural gas sector encompasses all operations in the extraction and production of oil and natural gas, as well as the processing, transmission and distribution of natural gas. Specifically for oil, the sector includes all operations from the well to the point of custody transfer at a petroleum refinery. For natural gas, the sector includes all operations from the well to the final end user. The oil and natural gas sector can generally be separated into four segments: (1) Oil and natural gas production; (2) natural gas processing; (3) natural gas transmission and storage; and (4) natural gas distribution.

The oil and natural gas production segment includes the wells and all related processes used in the extraction, production, recovery, lifting, stabilization, and separation or treatment of oil and/or natural gas (including condensate). Production components may include, but are not limited to, wells and related casing head, tubing head and ''Christmas tree'' piping, as well as pumps, compressors, heater treaters, separators, storage vessels, pneumatic devices and dehydrators. Production operations also include the well drilling, completion and workover processes and include all the portable non-self-propelled apparatus associated with those operations. Production sites include not only the sites where the wells themselves are located, but also include stand-alone ''pads'' where oil, condensate, produced water, and natural gas from several wells may be separated, stored, and treated. The production segment also includes the low to medium pressure, smaller diameter, gathering pipelines and related components that collect and transport the oil, natural gas and other materials and wastes from the wells or well pads. We believe most true minor sources in the oil and natural gas sector that will need a minor NSR permit are in the oil and natural gas production segment.

The natural gas production segment ends where the natural gas enters a processing plant. In situations where there is no processing plant, the natural gas production segment ends at the point where the natural gas enters the transmission segment for long-line transport. The crude oil production segment ends at the storage and load-out terminal which is used for transport of the crude oil to a petroleum refinery via trucks or railcars. The petroleum refinery is not considered a part of the oil and natural gas sector. Thus, with respect to crude oil, the oil and natural gas sector ends where crude oil enters the petroleum refinery.

The second segment, natural gas processing, consists of separating certain hydrocarbons and fluids from the natural gas to produce ''pipeline quality'' dry natural gas. Pipeline quality natural gas leaves the natural gas processing segment and enters the third segment, natural gas transmission and storage, which includes pipelines, reciprocating or centrifugal compressors, and underground storage facilities. The fourth segment is the natural gas distribution segment. Local distribution companies comprise the natural gas distribution segment and deliver natural gas to the final end user. As explained earlier in this comment response, we believe that most true minor sources that will need a minor NSR permit will be in the oil and natural gas production segment.

3. Protection of Air Quality in Indian Country During the Period of the Extension

Comment: One commenter expressed concern that extending the permitting deadline may provide yet additional time for oil and natural gas sources to commence new operations or make modifications to existing sources without a permit. The commenter noted that the oil and gas sector is one of the most prolific sources in some areas of Indian country and it might not be beneficial to have so many unpermitted sources during the extension period. Another commenter asked how EPA will protect air quality in Indian country during the period of the extension.

Response: EPA recognizes that extending the minor NSR permitting deadline for the oil and natural gas sector could have negative impacts on air quality in Indian country, because some sources will not have to install air pollution controls that might otherwise have been required. Such impacts should be minimized, because many new, modified and reconstructed sources in Indian country will have to meet the requirements of the Agency's oil and natural gas New Source

[6] ''Affected emissions units'' is defined in the definitions section (§ 49.152) of the Indian Country Minor NSR Rule.

[7] We are basing our sense of the number of potential sources in other source categories on information from two sources. First, it is based on the mix of existing minor sources that registered with EPA in response to the March 2013 deadline. The number of oil and natural gas sources that have registered far outweighs the number of sources that have registered in other source categories. Second, EPA's projections of minor source growth in Indian country also indicates far higher growth in oil and natural gas sources versus sources in other categories. A copy of the economic analysis can be found in the following docket: Docket ID No. EPA–HQ–OAR–2011–0151.

Performance Standard (NSPS).[8] The NSPS covers most emission sources in the production segment of the oil and natural gas sector, including completions of hydraulically fractured gas wells, storage vessels, compressors, and pneumatic controllers. Sources constructed, modified or reconstructed after August 23, 2011, must comply with the requirements of the NSPS. The NSPS will be fully implemented in 2015. Thus, the NSPS will help protect air quality during the extension. Moreover, the permitting extension applies only to true minor sources; the requirement that major sources and synthetic minor sources obtain pre-construction permits in Indian country is not affected.

EPA does not have the necessary resources to deal with the anticipated number of site-specific permit applications that would be submitted between the current September 2, 2014, deadline and the date by which we are able to issue a FIP, general permit or other streamlined mechanism for the permitting of true minor sources in the oil and natural gas sector. This could result in significant delays in construction of oil and natural gas sources in Indian country. Commenters representing both tribes and industry expressed concerns about the negative impacts of delays in obtaining permits.

The permitting extension also gives us an opportunity to coordinate among all of the ongoing efforts to better manage the regulatory challenges posed by this large, rapidly growing, complex sector. Three activities are highlighted here. First, as previously mentioned, we have promulgated an NSPS regulation for this source category[9] that applies directly to new, modified, and reconstructed sources in the industry and requires emission controls for some sources. These requirements are independent of any NSR permit. Second, on April 15, 2014, we released several technical white papers for peer review that address emerging data on volatile organic compounds and methane emissions from certain sources in the oil and natural gas sector, as well as techniques for mitigating those emissions.[10] These white papers, and the comments they elicit, will help us solidify our understanding of the sector and will help inform future policy decisions as we consider potential voluntary and regulatory approaches. Third, we are working to improve our emissions inventory and emissions factors for the oil and natural gas sector. These improvements will allow us to better assess the potential impacts of increased production.

An extension to the permitting deadline also gives us time to evaluate public comments on the ANPR (discussed in Unit III.), including comments that address whether EPA should cover existing sources in an oil and natural gas FIP. Covering existing oil and natural gas sources in a FIP, if we decide to do so, could allow us to better manage emissions increases in those areas of Indian country that exceed, or are close to exceeding, the ozone National Ambient Air Quality Standards (NAAQS) because of emissions from the oil and natural gas sector. This could also ensure greater consistency with the requirements in minor NSR permits previously issued by surrounding states.

D. Registration

Comment: Two commenters supported the proposed change to the registration date for true minor sources in the oil and natural gas sector. We did not receive any adverse comments on the proposed change.

Response: We changed the registration date for true minor sources in the oil and natural gas sector to be consistent with the permitting deadline of March 2, 2016.

VI. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a ''significant regulatory action'' under the terms of Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under Executive Orders 12866 and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act

This action does not impose any new information collection burden under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* The action will not create any new requirements under the Indian Country Minor NSR Program, but rather extends permitting and registration deadlines for true minor sources in the oil and natural gas sector, potentially reducing burden. However, the Office of Management and Budget (OMB) has previously approved the information collection requirements contained in the existing regulations for the Indian Country Minor NSR Program (40 CFR 49.151 through 49.161) under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.,* and has assigned OMB control number 2060–0003. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedures Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations and small governmental jurisdictions.

For purposes of assessing the impacts of this final action on small entities, small entity is defined as: (1) A small business as defined in the U.S. Small Business Administration size standards at 13 CFR 121.201; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; or (3) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

After considering the economic impacts of this final action on small entities, I certify that this final action will not have a significant economic impact on a substantial number of small entities. In determining whether a rule has a significant economic impact on a substantial number of small entities, the impact of concern is any significant adverse economic impact on small entities, since the primary purpose of the regulatory flexibility analysis is to identify and address regulatory alternatives ''which minimize any significant economic impact of the rule on small entities.'' 5 U.S.C. 603 and 604. Thus, an agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, or otherwise has a positive economic effect, on all of the small entities subject to the rule.

This final action will not create any new requirements under the Indian Country Minor NSR Program. It merely extends the permit and registration deadlines for true minor sources in the oil and natural gas sector in Indian country. Therefore, it would not impose any additional burden on any sources

[8] See 40 CFR part 60, subpart OOOO, ''Standards of Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution.''

[9] See 40 CFR part 60, subpart OOOO, ''Standards of Performance for Crude Oil and Natural Gas Production, Transmission, and Distribution.''

[10] The white papers can be found at *http://www.epa.gov/airquality/oilandgas.*

(including small entities). We have therefore concluded that this final rule will be neutral or relieve the regulatory burden for all affected small entities.

D. Unfunded Mandates Reform Act

This action contains no federal mandate under the provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1531–1538 for state, local or tribal governments in the aggregate, or the private sector in any 1 year. This action will not create any new requirements under the Indian Country Minor NSR Program, but rather extends the permitting and registration deadlines for true minor sources in the oil and natural gas sector in Indian country. Therefore, this action is not subject to the requirements of sections 202 or 205 of UMRA.

This action is also not subject to the requirements of section 203 of UMRA because it contains no regulatory requirements that might significantly or uniquely affect small governments. As noted previously, the effect of this final rule will be neutral or relieve regulatory burden.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It 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, as specified in Executive Order 13132. This final rule will revise the Indian Country Minor NSR Program, which applies only in Indian country, and will not, therefore, affect the relationship between the national government and the states or the distribution of power and responsibilities among the various levels of government.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Subject to the Executive Order 13175 (65 FR 67249, November 9, 2000), EPA may not issue a regulation that has tribal implications, that imposes substantial direct compliance costs and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by tribal governments or EPA consults with tribal officials early in the process of developing the proposed regulation and develops a tribal summary impact statement.

EPA has concluded that this final rule will have tribal implications. However, it will neither impose substantial direct compliance costs on tribal governments, nor preempt tribal law. This final rule will have tribal implications since it revises the Indian Country Minor NSR Program, which applies to both tribally-owned and privately-owned sources in Indian country. As with the existing rule, the revised rule will be implemented by EPA, or a delegate tribal agency assisting EPA with administration of the rules, until replaced by an EPA-approved tribal implementation plan. The effect of this final rule will be to extend the permitting and registration deadlines for true minor sources in the oil and natural gas sector.

EPA coordinated with tribal environmental professionals on the development of the ''General Permits and Permits by Rule for the Federal Minor New Source Review Program in Indian Country'' proposed rule, including the proposed amendments to extend the permitting and registration deadlines for true minor sources in the oil and natural gas sector located in Indian country. The coordination consisted of participating in monthly teleconferences. Specifically, on December 19, 2013, we presented an overview of the proposal and welcomed feedback and questions. On March 4, 2014, we met with representatives of the Ute Indian Tribe to hear their concerns regarding the proposed rule. On December 16, 2013, EPA mailed letters to over 600 tribal leaders to offer consultation. To assist tribes in deciding whether to accept our offer of consultation, we held a conference call on January 6, 2014, during which EPA provided an overview of the proposed changes and answered questions. We did not receive any requests for consultation from tribal governments in response to our letters offering consultation. However, prior to mailing the consultation letters, EPA began consulting with two tribes. Senior EPA officials consulted with the elected Ute Indian Tribe tribal leader and other members of the Ute Indian Tribe, including business committee members, on August 27, 2013, September 12, 2013, March 4, 2014, and March 21, 2014. Senior EPA officials also consulted with the designated representatives of the elected leaders of the Ute Indian Tribe and the Three Affiliated Tribes on July 26, 2013.

G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use

This action is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law No. 104–113, 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through the OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This rulemaking does not involve technical standards. Therefore, EPA has not considered the use of any voluntary consensus standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order 12898 (59 FR 7629, February 16, 1994) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies and activities on minority populations and low-income populations in the United States.

EPA has determined that this final rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations. This final rule will extend the true minor source permit deadlines for oil and natural gas sources under the Indian Country Minor

NSR Program. EPA recognizes that this will result in some sources not installing air pollution controls that might otherwise have been required by a permit, but believes that any negative impacts on air quality associated with such activities will not be significant and that the practical need for the extension justifies any such impacts in the near term. Many new, modified and reconstructed sources in Indian country will have to meet the requirements of the Agency's oil and natural gas NSPS. The NSPS covers most emission sources in the production segment of the oil and natural gas sector, including completions of hydraulically fractured gas wells, storage vessels, compressors, and pneumatic controllers. Sources constructed, modified or reconstructed after August 23, 2011, must comply with the requirements of the NSPS. The NSPS will be fully implemented in 2015. Thus, the NSPS will help protect air quality during the extension. Moreover, the permitting extension applies only to true minor sources; the requirement that major sources and synthetic minor sources obtain pre-construction permits in Indian country is not affected.

K. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This rule will be effective July 16, 2014.

L. Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the District of Columbia Circuit by August 15, 2014. Any such judicial review is limited to only those objections that are raised with reasonable specificity in timely comments. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. Under section 307(b)(2) of the Clean Air Act, the requirements of this final action may not be challenged later in civil or criminal proceedings brought by us to enforce these requirements.

VII. Statutory Authority

The statutory authority for this action is provided by sections 101, 110, 112, 114, 116 and 301 of the Clean Air Act as amended (42 U.S.C. 7401, 7410, 7412, 7414, 7416 and 7601).

List of Subjects in 40 CFR Part 49

Environmental protection, Administrative practices and procedures, Air pollution control, Indians, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: May 22, 2014.

Gina McCarthy,

Administrator.

Therefore, 40 CFR part 49 is amended as follows:

PART 49—[AMENDED]

■ 1. The authority citation for part 49 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

■ 2. In § 49.151, revise paragraphs (c)(1)(iii)(A) and (c)(1)(iii)(B) to read as follows:

§ 49.151 Program overview.

* * * * *

(c) * * *

(1) * * *

(iii) * * * (A) If you own or operate an existing true minor source in Indian country (as defined in 40 CFR 49.152(d)), you must register your source with the reviewing authority in your area by March 1, 2013. If your true minor source is not an oil and natural gas source, and you commence construction after August 30, 2011, and before September 2, 2014, you must also register your source with the reviewing authority in your area within 90 days after the source begins operation. If your true minor source is an oil and natural gas source, and you commence construction after August 30, 2011, and before March 2, 2016, you must register your source with the reviewing authority in your area within 90 days after the source begins operation. You are exempt from these registration requirements if your true minor source is subject to § 49.138.

(B) If your true minor source is not an oil and natural gas source and you wish to begin construction of a new true minor source or a modification at an existing true minor source on or after September 2, 2014, you must first obtain a permit pursuant to §§ 49.154 and 49.155 (or a general permit pursuant to § 49.156, if applicable). If your true minor source is an oil and natural gas source and you wish to begin construction of a new true minor source or a modification at an existing true minor source on or after March 2, 2016, you must first obtain a permit pursuant to §§ 49.154 and 49.155 (or a general permit pursuant to § 49.156, if applicable). The proposed new source or modification will also be subject to the registration requirements of § 49.160, except for sources that are subject to § 49.138.

* * * * *

■ 3. In § 49.160, revise paragraphs (c)(1)(i), (c)(1)(ii), and (c)(1)(iii) to read as follows:

§ 49.160 Registration program for minor sources in Indian country.

* * * * *

(c) * * *

(1) * * *

(i) If you own or operate an existing true minor source (as defined in 40 CFR 49.152(d)), you must register your source with the reviewing authority by March 1, 2013.

(ii) If your true minor source is not an oil and natural gas source and you commence construction after August 30, 2011, and before September 2, 2014, you must register your source with the reviewing authority within 90 days after the source begins operation. If your true minor source is an oil and natural gas source, and you commence construction after August 30, 2011, and before March 2, 2016, you must register your source with the reviewing authority within 90 days after the source begins operation.

(iii) If your true minor source is not an oil and natural gas source, and you commence construction or modification of your source on or after September 2, 2014, and your source is subject to this rule, you must report your source's actual emissions (if available) as part of your permit application and your permit application information will be used to fulfill the registration requirements described in § 49.160(c)(2). If your true minor source is an oil and natural gas source, and you commence construction or modification of your source on or after March 2, 2016, and your source is subject to this rule, you must report your source's actual emissions (if available) as part of your permit application and your permit application information will be used to fulfill the

registration requirements described in § 49.160(c)(2).

* * * * *

[FR Doc. 2014–14030 Filed 6–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2014–0413; FRL–9912–03-Region-9]

Revisions to the California State Implementation Plan, Great Basin Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve a revision to the Great Basin Unified Air Pollution Control District (GBUAPCD) portion of the California State Implementation Plan (SIP). This revision concerns particulate matter (PM) emissions from agricultural sources. We are approving a local rule that regulates these emission sources under the Clean Air Act (CAA or the Act).

DATES: This rule is effective on August 15, 2014 without further notice, unless EPA receives adverse comments by July 16, 2014. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2014–0413, by one of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the on-line instructions.
2. *Email: steckel.andrew@epa.gov.*
3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *www.regulations.gov* or email. *www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: Generally, documents in the docket for this action are available electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901. While all documents in the docket are listed at *www.regulations.gov,* some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Nancy Levin, EPA Region IX, (415) 972–3848, *levin.nancy@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us,'' and ''our'' refer to EPA.

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I. The State's Submittal

A. What rule did the State submit?

Table 1 lists the rule we are approving with the dates that it was adopted by the local air agency and submitted by the GBUAPCD.

TABLE 1—SUBMITTED RULES

Local agency	Rule No.	Rule title	Adopted	Submitted
GBUAPCD	502	Conservation Management Practices	07/07/05	10/20/05

On November 22, 2005 EPA determined that the submittal for GBUAPCD Rule 502 met the completeness criteria in 40 CFR Part 51 Appendix V, which must be met before formal EPA review.

B. Are there other versions of this rule?

There are no previous versions of Rule 502 in the SIP.

C. What is the purpose of the submitted rule?

PM contributes to effects that are harmful to human health and the environment, including premature mortality, aggravation of respiratory and cardiovascular disease, decreased lung function, visibility impairment, and damage to vegetation and ecosystems. Section 110(a) of the CAA requires States to submit regulations that control PM emissions. This rule requires that agricultural owner/operators limit PM–10 (10 micrograms or smaller in diameter) emissions by selecting and implementing ''Conservation Management Practices'' or CMPs. EPA's technical support document (TSD) has more information about this rule.

II. EPA's Evaluation and Action

A. How is EPA evaluating the rule?

Generally, SIP rules must be enforceable (see section 110(a) of the Act) and must not relax existing requirements (see sections 110(l) and 193). In addition, areas designated and classified as moderate nonattainment for PM–10 must implement Reasonably Available Control Measures (RACM), and areas designated and classified as serious nonattainment for PM–10 must implement Best Available Control Measures (BACM) (see CAA sections 189(a)(1) and 189(b)(1)). The GBUAPCD regulates PM–10 nonattainment areas classified as moderate (Mammoth Lakes and Mono Basin) and serious (Owens Valley) (see 40 CFR Part 81.305).

Guidance and policy documents that we used to evaluate this rule include the following:

1. ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations; Clarification to Appendix D of November 24, 1987 **Federal Register** Notice,'' (Blue Book), notice of availability published in the May 25, 1988 **Federal Register**.
2. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).
3. ''State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498 (April 16, 1992); 57 FR 18070 (April 28, 1992).
4. ''State Implementation Plans for Serious PM–10 Nonattainment Areas, and Attainment Date Waivers for PM–10 Nonattainment Areas Generally; Addendum to the General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 59 FR 41998 (August 16, 1994).
5. ''PM–10 Guideline Document,'' EPA 452/R–93–008, April 1993.
6. ''Fugitive Dust Background Document and Technical Information Document for Best Available Control Measures,'' EPA 450/2–92–004, September 1992.

B. Does the rule meet the evaluation criteria?

We believe this rule is consistent with the relevant requirements and policy regarding enforceability and SIP revisions. The TSD has more information on our evaluation.

C. EPA Recommendations to Further Improve the Rule

The TSD describes additional rule revisions that we recommend for the next time the local agency modifies the rule.

D. Public Comment and Final Action

As authorized in section 110(k)(3) of the Act, EPA is fully approving the submitted rule because we believe it fulfills all relevant requirements. We do not think anyone will object to this approval, so we are finalizing it without proposing it in advance. However, in the Proposed Rules section of this **Federal Register**, we are simultaneously proposing approval of the same submitted rule. If we receive adverse comments by July 16, 2014, we will publish a timely withdrawal in the **Federal Register** to notify the public that the direct final approval will not take effect and we will address the comments in a subsequent final action based on the proposal. If we do not receive timely adverse comments, the direct final approval will be effective without further notice on August 15, 2014. This will incorporate the rule into the federally enforceable SIP.

Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 15, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: May 30, 2014.

Jared Blumenfeld,

Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraph (c)(342)(i)(D)(*2*) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(342) * * *

(i) * * *

(D) * * *

(*2*) Rule 502, ''Conservation Management Practices,'' adopted on July 7, 2005.

* * * * *

[FR Doc. 2014–13853 Filed 6–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[EPA–HQ–OAR–2013–0479; FRL–9912–00–OAR]

RIN 2060–AS25

Regulation of Fuels and Fuel Additives: Extension of Compliance and Attest Engagement Reporting Deadlines for 2013 Renewable Fuel Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action on two components of its annual rulemaking to establish the 2014 renewable fuels standards under Clean Air Act 211(o). The two components are an extension of the compliance demonstration deadline for the 2013 renewable fuel standards, and the associated deadline for submission of attest engagement reports for the 2013 renewable fuel standards. The new deadlines are September 30, 2014 and January 30, 2015, respectively. This action ensures timely amendment of existing deadlines, before compliance obligations would otherwise go into effect. The EPA intends to finalize the remaining portion of its rulemaking to establish the 2014 renewable fuel standards shortly.

DATES: This rule is effective June 16, 2014.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2013–0479. All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Air and Radiation Docket and Information Center, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the Air Docket is (202) 566–1742.

FOR FURTHER INFORMATION CONTACT: Julia MacAllister, Office of Transportation and Air Quality, Assessment and Standards Division, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; Telephone number: 734–214–4131; Fax number: 734–214–4816; Email address: *macallister.julia@epa.gov,* or the public information line for the Office of Transportation and Air Quality; telephone number (734) 214–4333; Email address *OTAQ@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

The EPA is today taking action to amend existing regulatory deadlines for obligated parties under the Renewable Fuel Standards (RFS) program to submit reports demonstrating their compliance with the 2013 RFS percentage standards, and to submit corresponding attest engagement reports.

We received comments on our November 29, 2013 proposed rulemaking to establish the 2014 RFS standards [1] reiterating the importance to obligated parties of knowing their RFS obligations for 2014 prior to the compliance demonstration deadline for the 2013 RFS standards. The EPA recognized the value of this timing to obligated parties in the 2013 standards final rule, and for that reason delayed the normally applicable February 28, 2014 compliance demonstration deadline to June 30, 2014 for the 2013 RFS standards.[2] We reasoned at that time that an extension to June 30, 2014 would be sufficient in light of the expected date of issuance of the 2014 annual RFS rule.

However, in light of the fact that the EPA has not yet issued the 2014 annual standards rule, we believe it is appropriate to provide a further extension of the 2013 compliance demonstration deadline. The new deadline is September 30, 2014. Additionally, we are extending the deadline for submitting the corresponding attest engagement reports to January 30, 2015. Although these regulatory changes were not specifically proposed in the 2014 annual standards rule, we believe that they are appropriate as a logical outgrowth of the proposed rule. The EPA received several comments on the proposed rule emphasizing the need for the EPA to promulgate the 2014 RFS standards quickly and the need for obligated parties to know their obligations for the following year when finalizing their 2013 compliance demonstrations. As noted above, the EPA itself recognized the value to obligated parties of knowing their obligations for 2014 prior to having to demonstrate compliance with their 2013 RFS requirements. This is because, once the 2014 RFS standards are known, obligated parties may choose to consider the impact of the new standards on their 2013 RFS compliance approach, including how many 2013 Renewable Identification Numbers (RINs) they can carry-forward (there is a 20% limit based on the 2014 standard) for purposes of complying with the 2014 RFS standards.

The 2014 RFS rulemaking has been more time consuming than originally anticipated, involving receipt of over 300,000 comments, concerning numerous specific issues related to the 2014 standards which the EPA needs, and wishes, to thoroughly consider and respond to. Given the need for the EPA to weigh these issues carefully, prior to taking final action on the 2014 RFS standards, the EPA believes it best to further extend the existing June 30, 2014 compliance demonstration deadline and associated attest engagement report deadline for the 2013 RFS standards. While we do not believe that the EPA is constrained legally to extend the deadline, we do believe it is appropriate to do so in this instance. It will allow the EPA time to complete its work on the 2014 renewable fuel standards rule in a thorough manner, while also providing time between the expected date of finalizing that rule and the new 2013 compliance deadline which will be helpful to obligated parties. While this final rule is a logical outgrowth of the 2014 RFS proposed rule, and the

[1] 78 FR 71732 (November 29, 2013).

[2] 78 FR 49794, 49800 (August 15, 2013).

circumstances of completing that rule, the EPA needs to take final action on this rule separately from the other aspects of the 2014 rule, in order that the actions taken in this rule are effective prior to the existing 2013 RFS standards compliance deadline of June 30, 2014.

We are setting the effective date for this rule as the date that it is published in the **Federal Register**. Section 553(d) of the Administrative Procedure Act (APA), generally provides that rules may not take effect earlier than 30 days after they are published in the **Federal Register**. However, the EPA is issuing this final rule under CAA section 307(d), and that provision specifies that the APA does not apply, with only limited exceptions that do not include Section 553(d). The EPA is nevertheless acting consistently with the policies underlying APA section 553(d) in making this rule effective on the date of publication in the **Federal Register**. The APA provides that the requirements of section 553(d) do not apply where the rule in question ''relieves a restriction'' or where the EPA finds and publishes with the rule a determination that ''good cause'' exists that warrants an exception. We believe that the deadline extensions finalized today will operate to relieve restrictions, and that good cause exists for making this rule effective prior to the deadlines currently in effect for submission of the 2013 renewable fuel standards' compliance demonstration report and the associated attest engagement reports, for the reasons described above.

II. Affected Entities

Entities potentially affected by this direct final rule are those involved with the production, distribution, and sale of transportation fuels, including gasoline and diesel fuel or renewable fuels such as ethanol and biodiesel. Potentially regulated categories include:

Category	NAICS [1] Codes	SIC [2] Codes	Examples of potentially regulated entities
Industry	324110	2911	Petroleum Refineries.
Industry	325193	2869	Ethyl alcohol manufacturing.
Industry	325199	2869	Other basic organic chemical manufacturing.
Industry	424690	5169	Chemical and allied products merchant wholesalers.
Industry	424710	5171	Petroleum bulk stations and terminals.
Industry	424720	5172	Petroleum and petroleum products merchant wholesalers.
Industry	454319	5989	Other fuel dealers.

[1] North American Industry Classification System (NAICS).
[2] Standard Industrial Classification (SIC) system code.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that the EPA is now aware could be potentially regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your activities would be regulated by this action, you should carefully examine the applicability criteria in 40 CFR part 80. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding section.

III. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a ''significant regulatory action'' under the terms of Executive Order 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under Executive Orders 12866 and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act

There are no new information collection requirements associated with this rulemaking. The extension of the existing regulatory deadlines for obligated parties under the Renewable Fuel Standards (RFS) program impose no new or different reporting requirements on regulated parties. The existing information collection requests (ICR) that apply to the RFS program are sufficient to address the reporting requirements in the regulations.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedures Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

For purposes of assessing the impacts of this rule on small entities, small entity is defined as: (1) A small business as defined by the Small Business Administration's (SBA) regulations at 13 CFR 121.201; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.

After considering the economic impacts of today's rule on small entities, I certify that this rule will not have a significant economic impact on a substantial number of small entities. This rule amends the existing regulatory deadlines for obligated parties under the Renewable Fuel Standards (RFS) program to submit reports demonstrating their compliance with the 2013 RFS percentage standards, and to submit corresponding attest engagement reports. This action ensures timely amendment of existing deadlines, before compliance obligations would otherwise go into effect. The impacts of the RFS2 program on small entities were already addressed in the RFS2 final rule promulgated on March 26, 2010 (75 FR 14670), and this rule will not impose any additional requirements on small entities beyond those already analyzed.

D. Unfunded Mandates Reform Act

This action contains no Federal mandates under the provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1531–1538 for State, local, or tribal

governments or the private sector. Therefore, this action is not subject to the requirements of sections 202 or 205 of the UMRA.

This action is also not subject to the requirements of section 203 of UMRA because it contains no regulatory requirements that might significantly or uniquely affect small governments. This rule only applies to gasoline, diesel, and renewable fuel producers, importers, distributors and marketers and merely extends the otherwise applicable reporting deadlines.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It 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, as specified in Executive Order 13132. This action amends the existing regulatory deadlines for obligated parties under the Renewable Fuel Standards (RFS) program to submit reports demonstrating their compliance with the 2013 RFS percentage standards, and to submit corresponding attest engagement reports. The new deadlines only apply to gasoline, diesel, and renewable fuel producers, importers, distributors and marketers. Thus, Executive Order 13132 does not apply to this rule.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000). This rule will be implemented at the Federal level and affects transportation fuel refiners, blenders, marketers, distributors, importers, exporters, and renewable fuel producers and importers. Tribal governments would be affected only to the extent they purchase and use regulated fuels. Thus, Executive Order 13175 does not apply to this action.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets EO 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the EO has the potential to influence the regulation. This action is not subject to EO 13045 because it does not establish an environmental standard intended to mitigate health or safety risks and because it implements specific standards established by Congress in statutes (section 211(o) of the Clean Air Act).

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 (66 FR 28355 (May 22, 2001)), because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (''NTTAA''), Public Law 104–113, 12(d) (15 U.S.C. 272 note) directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. NTTAA directs the EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This rulemaking does not involve technical standards. Therefore, the EPA is not considering the use of any voluntary consensus standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order (EO) 12898 (59 FR 7629 (Feb. 16, 1994)) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

The EPA has determined that this rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment. This action does not relax the control measures on sources regulated by the RFS regulations and therefore will not cause emissions increases from these sources.

K. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

IV. Statutory Authority

Statutory authority for this action comes from sections 211 and 301(a) of the Clean Air Act, 42 U.S.C 7545 and 7601(a).

List of Subjects in 40 CFR Part 80

Environmental protection, Administrative practice and procedure, Air pollution control, Diesel fuel, Fuel additives, Gasoline, Imports, Oil imports, Petroleum.

Dated: June 6, 2014.

Gina McCarthy,

Administrator.

For the reasons set forth in the preamble, 40 CFR part 80 is amended as follows:

PART 80—REGULATION OF FUELS AND FUEL ADDITIVES

■ 1. The authority citation for part 80 continues to read as follows:

Authority: 42 U.S.C. 7414, 7521, 7542, 7545, and 7601(a).

■ 2. Section 80.1451 is amended by revising paragraph (a)(1)(xiv) to read as follows:

§ 80.1451 What are the reporting requirements under the RFS program?

(a) * * *

(1) * * *

(xiv) For the 2013 compliance year, annual compliance reports shall be submitted by September 30, 2014.

* * * * *

■ 3. Section 80.1464 is amended by revising paragraph (g) to read as follows:

§ 80.1464 What are the attest engagement requirements under the RFS program?

* * * * *

(g) For the 2013 compliance year, reports required under this section shall be submitted to EPA by January 30, 2015.

[FR Doc. 2014–14019 Filed 6–13–14; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 224

[Docket No. 110819518–4477–03]

RIN 0648–BB20

Correction; Restatement of Final Rule To Remove the Sunset Provision of the Final Rule Implementing Vessel Speed Restrictions To Reduce the Threat of Ship Collisions With North Atlantic Right Whales

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

ACTION: Correcting amendment.

SUMMARY: NMFS published a document eliminating the expiration date (or ''sunset clause'') in regulations requiring vessel speed restrictions to reduce the likelihood of lethal vessel collisions with North Atlantic right whales. The **DATES** section in the preamble of that document did not specify that the expiration date of the original rule was being removed. This document corrects the **DATES** section to remove the expiration date and republishes § 224.105 for the convenience of the reader.

DATES: The expiration of 50 CFR 224.105, as published at 73 FR 60173 (October 10, 2008), is removed effective December 6, 2013. The effective date of this rule is December 6, 2013.

FOR FURTHER INFORMATION CONTACT: Gregory Silber, Ph.D., Fishery Biologist, Office of Protected Resources, NMFS, at (301) 427–8402.

SUPPLEMENTARY INFORMATION: NMFS published a document eliminating the expiration date (or ''sunset clause'') in regulations requiring vessel speed restrictions to reduce the likelihood of lethal vessel collisions with North Atlantic right whales. The **DATES** section in the preamble of that document did not specify that the expiration date of the original rule was being removed. This document corrects the **DATES** section to remove the expiration date and republishes § 224.105 for the convenience of the reader.

List of Subjects in 50 CFR Part 224

Endangered marine and anadromous species.

Dated: June 10, 2014.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 224 is corrected as follows:

PART 224—ENDANGERED MARINE AND ANADROMOUS SPECIES

■ 1. The authority citation for 50 CFR part 224 continues to read as follows:

Authority: 16 U.S.C. 1531–1543 and 16 U.S.C. 1361 *et seq.*

■ 2. In part 224, republish section 224.105 to read as follows:

§ 224.105 Speed restrictions to protect North Atlantic Right Whales.

(a) The following restrictions apply to: All vessels greater than or equal to 65 ft (19.8 m) in overall length and subject to the jurisdiction of the United States, and all other vessels greater than or equal to 65 ft (19.8 m) in overall length entering or departing a port or place subject to the jurisdiction of the United States. These restrictions shall not apply to U.S. vessels owned or operated by, or under contract to, the Federal Government. This exemption extends to foreign sovereign vessels when they are engaging in joint exercises with the U.S. Department of the Navy. In addition, these restrictions do not apply to law enforcement vessels of a State, or political subdivision thereof, when engaged in law enforcement or search and rescue duties.

(1) Southeast U.S. (south of St. Augustine, FL to north of Brunswick, GA): Vessels shall travel at a speed of 10 knots or less over ground during the period of November 15 to April 15 each year in the area bounded by the following: Beginning at 31°27′00.0″ N–080°51′36.0″ W; thence west to charted mean high water line then south along charted mean high water line and inshore limits of COLREGS limit to a latitude of 29°45′00.0″ N thence east to 29°45′00.0″ N–080°51′36.0″ W; thence back to starting point. (Fig. 1).

(2) Mid-Atlantic U.S. (from north of Brunswick, Georgia to Rhode Island): Vessels shall travel 10 knots or less over ground in the period November 1 to April 30 each year:

(i) In the area bounded by the following: 33°56′42.0″ N–077°31′30.0″ W; thence along a NW bearing of 313.26° True to charted mean high water line then south along mean high water line and inshore limits of COLREGS limit to a latitude of 31°27′00.0″ N; thence east to 31°27′00.0″ N–080°51′36.0″ W; thence to 31°50′00.0″ N–080°33′12.0″ W; thence to 32°59′06.0″ N–078°50′18.0″ W; thence to 33°28′24.0″ N–078°32′30.0″ W; thence to 33°36′30.0″ N–077°47′06.0″ W; thence back to starting point.;

(ii) Within a 20-nm (37 km) radius (as measured seaward from COLREGS delineated coast lines and the center point of the port entrance) (Fig. 2) at the

(A) Ports of New York/New Jersey: 40°29′42.2″ N–073°55′57.6″ W;

(B) Delaware Bay (Ports of Philadelphia and Wilmington): 38°52′27.4″ N–075°01′32.1″ W;

(C) Entrance to the Chesapeake Bay (Ports of Hampton Roads and Baltimore): 37°00′36.9″ N–075°57′50.5″ W; and

(D) Ports of Morehead City and Beaufort, NC: 34°41′32.0″ N–076°40′08.3″ W; and

(iii) In Block Island Sound, in the area bounded by the following coordinates: Beginning at 40°51′53.7″ N–70°36′44.9″ W; thence to 41°20′14.1″ N–70°49′44.1″ W; thence to 41°04′16.7″ N–71°51′21.0″ W; thence to 40°35′56.5″ N–71°38′25.1″ W; thence back to starting point. (Fig. 2).

(3) Northeast U.S. (north of Rhode Island):

(i) In Cape Cod Bay, MA: Vessels shall travel at a speed of 10 knots or less over ground during the period of January 1 to May 15 in Cape Cod Bay, in an area beginning at 42°04′56.5″ N–070°12′00.0″ W; thence north to 42°12′00.0″ N–070°12′00.0″ W; thence due west to charted mean high water line; thence along charted mean high water within Cape Cod Bay back to beginning point. (Fig. 3).

(ii) Off Race Point: Vessels shall travel at a speed of 10 knots or less over ground during the period of March 1 to April 30 each year in waters bounded by straight lines connecting the following points in the order stated (Fig. 3): 42°30′00.0″ N–069°45′00.0″ W; thence to 42°30′00.0″ N–070°30′00.0″ W; thence to 42°12′00.0″ N–070°30′00.0″ W; thence to 42°12′00.0″ N–070°12′00.0″ W; thence to 42°04′56.5″ N–070°12′00.0″ W; thence along charted mean high water line and inshore limits of COLREGS limit to a latitude of 41°40′00.0″ N; thence due east to 41°41′00.0″ N–069°45′00.0″ W; thence back to starting point.

(iii) Great South Channel: Vessels shall travel at a speed of 10 knots or less over ground during the period of April

1 to July 31 each year in all waters bounded by straight lines connecting the following points in the order stated (Fig. 3):

42°30′00.0″ N–069°45′00.0″ W

41°40′00.0″ N–069°45′00.0″ W

41°00′00.0″ N–069°05′00.0″ W

42°09′00.0″ N–067°08′24.0″ W

42°30′00.0″ N–067°27′00.0″ W

42°30′00.0″ N–069°45′00.0″ W

(b) Except as noted in paragraph (c) of this section, it is unlawful under this section:

(1) For any vessel subject to the jurisdiction of the United States to violate any speed restriction established in paragraph (a) of this section; or

(2) For any vessel entering or departing a port or place under the jurisdiction of the United States to violate any speed restriction established in paragraph (a) of this section.

(c) A vessel may operate at a speed necessary to maintain safe maneuvering speed instead of the required ten knots only if justified because the vessel is in an area where oceanographic, hydrographic and/or meteorological conditions severely restrict the maneuverability of the vessel and the need to operate at such speed is confirmed by the pilot on board or, when a vessel is not carrying a pilot, the master of the vessel. If a deviation from the ten-knot speed limit is necessary, the reasons for the deviation, the speed at which the vessel is operated, the latitude and longitude of the area, and the time and duration of such deviation shall be entered into the logbook of the vessel. The master of the vessel shall attest to the accuracy of the logbook entry by signing and dating it.

(d) No later than January 1, 2019, the National Marine Fisheries Service will publish and seek comment on a report evaluating the conservation value and economic and navigational safety impacts of this section, including any recommendations to minimize burden of such impacts.

[FR Doc. 2014–14017 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 131206999–4466–02]

RIN 0648–BD83

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Amendment 20A

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to implement Amendment 20A to the Fishery Management Plan for the Coastal Migratory Pelagic Resources (CMP) in the Gulf of Mexico and Atlantic Region (FMP) (Amendment 20A), as prepared and submitted by the Gulf of Mexico (Gulf Council) and South Atlantic Fishery Management Council (South Atlantic Council) (collectively, the Councils). This final rule restricts sales of king and Spanish mackerel caught under the bag limit (those fish harvested by vessels that do not have a valid commercial vessel permit for king or Spanish mackerel and are subject to the bag limits) and removes the income qualification requirements for king and Spanish mackerel commercial vessel permits. The purpose of this final rule is to obtain more accurate landings data while ensuring the CMP fishery resources are utilized efficiently.

DATES: This rule is effective July 16, 2014, except for the amendments to § 622.386(d) and (e), which are effective August 7, 2014.

ADDRESSES: Electronic copies of the documents supporting this final rule, which include an environmental assessment, a Regulatory Flexibility Act analysis, and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_sa/cmp/index.html.*

Comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted in writing to Anik Clemens, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701; and the Office of Management and Budget (OMB), by email at *OIRA Submission@omb.eop.gov,* or by fax to 202–395–7285.

FOR FURTHER INFORMATION CONTACT: Susan Gerhart, telephone: 727–824–5305, or email: *Susan.Gerhart@noaa.gov.*

SUPPLEMENTARY INFORMATION: The CMP fishery in the Gulf of Mexico (Gulf) and the Atlantic is managed under the FMP. The FMP was prepared by the Councils and implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On March 3, 2014, NMFS published a notice of availability for Amendment 20A and requested public comment (79 FR 11748). On March 19, 2014, NMFS published a proposed rule for Amendment 20A and requested public comment (79 FR 15284). NMFS approved Amendment 20A on May 30, 2014. The proposed rule and Amendment 20A outline the rationale for the actions contained in this final rule. A summary of the actions implemented by this final rule is provided below.

Management Measures Contained in This Final Rule

For the Gulf region, this final rule prohibits the sale of bag-limit-caught king and Spanish mackerel, except in two limited circumstances. First, bag-limit-caught king and Spanish mackerel may be sold when harvested during a for-hire trip on a vessel with both a Gulf Charter Vessel/Headboat Coastal Migratory Pelagic Fish Permit and either a King Mackerel Commercial Permit or a Spanish Mackerel Commercial Permit, as appropriate to the species harvested or possessed (dually permitted vessel). The purpose of this exception is to preserve a historic practice that is important to Gulf charter and headboat businesses on the west coast of Florida. Florida is the only Gulf state that currently allows the sale of recreationally-caught fish and Florida requires that fishermen have the appropriate permits, including a Federal commercial vessel permit, to sell these fish. Second, king and Spanish mackerel harvested during state-permitted tournaments may be donated to a dealer who has a state or Federal dealer permit and then sold by that dealer, if the proceeds are donated to charity. Dealers receiving such fish must report them as tournament-caught fish.

For the Atlantic region, this final rule prohibits the sale of all bag-limit-caught king and Spanish mackerel, except those harvested during a state-permitted tournament. As in the Gulf, king and Spanish mackerel harvested during state-permitted tournaments may be

donated to a dealer who has a state or Federal permit and then sold by that dealer, if the proceeds are donated to charity. Dealers receiving such fish must report them as tournament-caught fish.

Reducing the sale of fish caught under the bag limit in the Gulf and Atlantic regions should improve the accuracy of data by reducing ''double counting,'' *i.e.,* harvest from a single trip that is counted towards both the commercial quota and recreational allocation. This practice occurs when the same catches are reported through recreational surveys and commercial trip tickets and logbooks. In addition to reducing the accuracy of the landings data, double counting can also lead to early closures in the commercial sector.

This final rule also removes the income qualification requirements for king and Spanish mackerel commercial vessel permits. This action would not affect the number of king mackerel permits issued, which are limited access, but could increase the number of Spanish mackerel permits issued, which are open access. Eliminating the income qualification requirements would afford more flexibility to fishermen by allowing them to earn a larger portion of income from non-fishing occupations.

Comments and Responses

NMFS received a total of 14 public comments on Amendment 20A and the proposed rule, including 10 comments from individuals and 3 from fishing organizations. One Federal agency stated it had no comment on the proposed rule. Comments related to the actions in Amendment 20A and the proposed rule as well as NMFS' respective responses are summarized below.

Sales Restriction

Comment 1: One commenter understood the wording of Action 1 to mean that mackerel could not be sold if a fisherman caught less than the bag limit, but could be sold if he caught more than the bag limit.

Response: The phrase ''under the bag limit'' refers to fishing under the regulations that limit fishermen to the bag limit, if they do not have a Federal commercial permit. Therefore the sale restriction is on fishermen without a Federal commercial permit who fish legally under the bag-limit regulations. These fishermen include recreational fishermen as well as commercial fishermen without Federal permits. As explained above, except under limited circumstances, each person can catch up to the bag limit (2 fish for king mackerel, 15 fish for Spanish mackerel), but cannot sell those fish. Fishermen who have a Federal commercial permit are not restricted to the bag limit if they are on a commercial trip, but are restricted by the commercial trip limit for their specific area, and can sell their catch.

Comment 2: NMFS should not implement restrictions on selling king and Spanish mackerel. Selling the catch, whether it is caught while on a commercial fishing trip or with a for-hire charter onboard, is one of many sources of income that charter fishermen depend on. One commenter stated he was able to save to buy a Federal commercial mackerel permit by selling his bag-limit catch. Bag-limit sales are keeping a lot of smaller fishermen in business and supporting their families. Also, recreational fishing does not necessarily mean the fisherman is merely fishing for sport. It could mean he does not have the income (or equipment) to afford a Federal commercial permit. The commercial fisherman should not be punished just because he does not have a Federal permit.

Response: NMFS disagrees that restrictions on the sale of bag-limit-caught king and Spanish mackerel should not be implemented. NMFS understands that some fishermen without commercial permits currently sell mackerel and will no longer be able to do so. However, the Councils are concerned that landings sold from recreational trips and non-federally permitted commercial trips contribute to the commercial quota and can lead to early closures in the commercial sector. The Councils are also concerned about the double counting of landings that can occur when bag-limit-caught mackerel are sold and those landings are counted towards both the recreational and commercial quotas. Thus, the Councils determined that, except in limited circumstances, sales of bag-limit-caught mackerel should be prohibited. NMFS agrees with the Councils' decision and notes that this prohibition is generally consistent with regulations in other fisheries, such as Gulf reef fish and South Atlantic snapper-grouper, which require a Federal commercial permit to sell the fish.

Comment 3: NMFS should accept the Gulf Council's proposal on bag-limit fish sales that allows sales by vessels that have both the Federal commercial and for-hire permits. In addition, they should reject the South Atlantic Council's proposal to prohibit such sales and adopt the Gulf Council's rule for both the Gulf and Atlantic mackerel fisheries. For over 25 years, the South Atlantic Council's Mackerel Advisory Panel has consistently recommended allowing these sales. The South Atlantic Council's SSC recommended that ''the Council should continue to allow bag-limit sales of recreationally caught fish. From a socio-economic perspective it is better to utilize other methods to mitigate negative effects of bag-limit recreational sales on the commercial sector.'' The South Atlantic Council's Law Enforcement Advisory Panel (LEAP) stated ''Overall the LEAP emphasizes the importance of consistency and simplicity whenever possible. Coastal migratory pelagics management is complicated and the less complex options are best for enforcement officers and the public.'' Also they expressed the desire to maintain consistent regulations between the South Atlantic and the Gulf to facilitate enforcement efforts.

Response: NMFS disagrees that identical regulations related to bag-limit sales must be implemented for both the Gulf and South Atlantic jurisdictions. NMFS recognizes that different regulations in the Gulf and South Atlantic are not ideal. However, the two Councils are independent and although the FMP is a joint plan, the Councils generally defer to each other regarding decisions about management measures within their respective jurisdictions. The Gulf Council chose to continue to allow dually permitted vessels to sell king and Spanish mackerel to preserve a historical practice that is important to some Gulf charter vessel and headboat businesses. The sale of king mackerel by dually permitted vessels in the Gulf has been recognized and accounted for since 1985, when 2 percent of the recreational allocation was transferred to the commercial sector (see response to Comment 5). The sale of Spanish mackerel by dually permitted vessels in the Gulf does not have the same impact on the commercial sector because no sector allocations exist for this stock. The South Atlantic Council considered the advice from its advisory groups, but determined that the continued sale of bag-limit-caught mackerel could negatively impact the commercial sector. In the South Atlantic, both king and Spanish mackerel commercial landings have been close to or exceeded the commercial quota in recent years. Continuing sales of bag-limit-caught fish in the Atlantic, especially those caught during for-hire fishing trips, could lead to early closures in the commercial sector that reduce annual landings and associated revenues of federally permitted commercial fishing businesses.

Comment 4: One commenter stated that for-hire vessels in Florida that have both the Federal commercial and charter

vessel/headboat permits will be able to sell bag-limit-caught mackerel during some parts of the year but not during other parts of the year, because the Gulf migratory group boundary shifts.

Response: The commenter misunderstands the regulations that are included in this final rule. As stated by the commenter, the king mackerel migratory group boundary changes during the year. From November 1 through March 31, the southern subzone, which is part of the Gulf migratory group Florida west coast subzone, extends around the Florida Keys and the Florida East Coast Subzone is created on the east coast of Florida. The regulations will prohibit the sale of bag-limit-caught mackerel except when harvested on board a dually permitted vessel that is operating in the Gulf. Thus, whether a dually permitted vessel can sell bag-limit-caught mackerel does not depend on where the migratory group boundary is during the fishing year but on whether the fish are caught in the Gulf. Fishermen on the south side of the Florida Keys and on the east coast of Florida are not operating in the Gulf. Therefore, they cannot sell mackerel caught under the bag limits at any time, even if their vessel is dually permitted.

Comment 5: The issue of bag-limit sales counting towards the commercial quota should have been settled years ago when 2 percent of the recreational total allowable catch (TAC) was transferred to the commercial TAC.

Response: NMFS agrees that the concern about recreational harvest counting towards the commercial quota was addressed in the Gulf in 1985 when Amendment 1 to the FMP set allocations for Gulf migratory group king mackerel and transferred 2 percent of the recreational allocation to the commercial sector. However, a similar transfer did not occur when allocations were set for the Atlantic migratory group.

Latent Permits

Comment 6: Some fishermen are finding it difficult to catch mackerel in the subzone they fish before that subzone closes. The northern subzone closes much too soon due to the influx of East coast boats coming into the Gulf. This closure excludes the local fishermen who rely on the mackerel run every year. As a result, these fishermen's permits become ''latent'' (no or low landings) through no fault of their own. Therefore, latent permits should not be removed.

Response: The Councils chose to take no action regarding removal of latent permits because of these issues, and NMFS agrees with this decision.

Income Requirement

Comment 7: Several commenters agreed with eliminating the income qualification requirement. Those commenters stated that the cost associated with purchasing any limited access Federal permit is daunting, and income restrictions need to be lifted to allow fishermen to obtain a commercial permit for king mackerel and other species. One commenter disagreed with eliminating the income qualification requirement. That commenter was concerned that charter vessel and headboat operators may switch to full-time commercial mackerel fishing that is more profitable than sport fishing, especially at certain times of the year, and that this increase in commercial harvest might cause overfishing of the resource.

Response: NMFS agrees with the Councils' decision to eliminate the income qualification requirement. The Councils determined, and NMFS agrees, that the income qualification requirement did not serve the function for which it was intended (to further restrict access to Federal commercial vessel permits for king mackerel to those who could demonstrate a financial reliance on commercial or charter fishing) because the requirement was difficult to enforce. No other Federal permit in the Southeast Region has an income qualification requirement, except the commercial spiny lobster permit, which mirrors the State of Florida's requirements. Eliminating the income qualification requirement will afford Spanish and king mackerel permit applicants more flexibility in determining the income-generating activities they might pursue. Commercial permit applicants can increase their participation in activities not related to commercial or for-hire fishing or limit their involvement in commercial or for-hire fishing without fearing the loss of their permit due to the income qualification requirement. However, NMFS does not agree that keeping the income qualification requirement will limit the ability of charter vessel and headboat operators to obtain a commercial permit, because income from charter fishing was allowed to be used to meet the income requirement.

Changes From Proposed Rule

A final rule published on April 9, 2014 (79 FR 19490), to implement a Gulf and South Atlantic dealer permit, which will be required for king and Spanish mackerel dealers, is effective August 7, 2014. That final rule includes a restriction that a federally permitted dealer must first receive fish only from a federally permitted vessel. This provision, which will be effective on August 7, 2014, is codified at § 622.386(c).

Amendment 20A and this final rule allow a federally permitted dealer to receive tournament-caught fish and then sell those fish if the proceeds are donated to a charity. As explained in the proposed rule to implement Amendment 20A, because the final rule for the Generic Dealer Amendment says that a federally permitted dealer must first receive fish only from a federally permitted vessel, an exception to that restriction must be added to § 622.386(e) in this final rule to allow dealers to first receive tournament-caught fish. Section 622.386(e) will be effective on August 7, 2014, the same day the final rule implementing the Generic Dealer Amendment is effective.

Classification

The Regional Administrator, Southeast Region, NMFS has determined that this final rule is consistent with Amendment 20A, the FMP, the Magnuson-Stevens Act and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

In compliance with section 604 of the Regulatory Flexibility Act (RFA), NMFS prepared a Final Regulatory Flexibility Analysis (FRFA) for this final rule. The FRFA analyzes the anticipated economic impacts of the final actions and any significant economic impacts on small entities. The FRFA is below.

The description of the action, why it is being considered and the legal basis for the rule are contained in the preamble of the proposed rule and in the preamble of this final rule. Section 604(a)(2) of the Regulatory Flexibility Act requires NMFS to summarize significant issues raised by the public in response to the Initial Regulatory Flexibility Analysis (IRFA), summarize the assessment of such issues, and state any changes made as a result of the comments. None of the public comments specifically concerned the IRFA; however, NMFS received several comments regarding the regional differences in businesses directly affected by the proposed rule and economic impacts of the proposed rule on businesses.

Several comments supported the elimination of the minimum fishing income requirement to obtain a Federal commercial Spanish mackerel or king mackerel permit, while one did not. The

removal of the income requirement will economically benefit all small businesses that currently own or operate fishing vessels with a Spanish or king mackerel permit by reducing their annual costs of documenting that they satisfy an income requirement. The elimination of the income requirement will also economically benefit small businesses that presently do not own or operate fishing vessels with one of these permits because they do not satisfy the income requirement. Additional responses are included in the Comments and Responses section (Comment 7) above.

Several comments questioned the necessity of and reasoning for the prohibition on sales of king mackerel harvested in Federal waters by commercial vessels without a Federal commercial king mackerel permit. These comments and NMFS' responses are included in the Comments and Responses section (Comment 2) above.

Several comments questioned the reason for prohibiting sales of king mackerel harvested in the Atlantic EEZ by vessels with a Federal commercial king mackerel permit during a for-hire fishing trip, while allowing sales of king mackerel harvested in the Gulf EEZ by vessels with a Federal commercial king mackerel permit during a for-hire fishing trip. This action is expected to eliminate double-counting of landings of king mackerel caught during for-hire fishing trips in the Atlantic EEZ, but will not eliminate double-counting of landings of king mackerel caught during for-hire fishing trips in the Gulf EEZ. In doing so, businesses that own and operate dually permitted for-hire fishing vessels in the Atlantic EEZ will incur adverse economic impacts that businesses that own and operate dually permitted for-hire fishing vessels in the Gulf EEZ will not incur. However, as noted in the response to Comment 3, the sale of king mackerel by dually permitted vessels in the Gulf has been recognized and accounted for since 1985, when 2 percent of the recreational allocation was transferred to the commercial sector. There was no similar transfer of allocation in the South Atlantic.

Commercial fishing vessels that land bag-limit quantities of Spanish or king mackerel are expected to harvest these species as incidental catch. In some areas, such as South Carolina, commercial landings of bag-limit quantities of Spanish and king mackerel are primarily the incidental catch of shrimp trawling vessels. Additional comments and NMFS responses are included in the Comments and Responses section (Comment 3) above.

No changes were made to the final rule based on any public comments.

It is estimated that up to 464 commercial shrimp vessels that operate in the South Atlantic, and up to 1,362 commercial shrimp vessels that operate in the Gulf, will be directly affected by the prohibition on Spanish and king mackerel sales without the respective Federal commercial permits. According to the Small Business Administration (SBA) size standards, a business in the shellfish fishing industry (NAICS 114112, shellfish fishing) is considered a small business if it is independently owned and operated, is not dominant in its field of operation (including affiliates), and has combined annual receipts not in excess of $5 million. It is estimated that 326 small commercial shellfish fishing businesses own and operate the directly affected shrimp vessels in the South Atlantic, and up to 903 small businesses own and operate the directly affected shrimp vessels in the Gulf.

Purse seine fishing vessels are also expected to have incidental catch of coastal migratory pelagics, especially king mackerel. The SBA annual receipts threshold for a business in the commercial finfish fishing industry (NAICS 114111, finfish fishing) is $19 million. It is unknown how many small businesses own and operate finfish fishing vessels that will be affected by the prohibition on bag-limit sales.

The ban on the sale of king and Spanish mackerel harvested during for-hire fishing trips in the Atlantic EEZ will affect 443 for-hire fishing vessels. The SBA annual receipts threshold for a for-hire fishing business is $7 million (NAICS 487210, fishing boat charter operation). It is expected that all of the for-hire fishing businesses that own and operate the above 443 vessels in the Atlantic EEZ are small.

Businesses that purchase king and Spanish mackerel from commercial vessels without the respective Federal commercial permits, and from South Atlantic for-hire vessels with the respective Federal commercial permits, would be indirectly affected by the ban on bag-limit sales. These businesses operate in the fish and seafood merchant wholesales industry (NAICS 424460), which has an SBA size standard of 100 employees, and the fish and seafood marketing industry (NAICS 445220), which has an SBA size standard of $7 million in annual receipts. Presently, a Federal dealer permit is not required to purchase king and Spanish mackerel harvested and landed by fishing vessels operating in the EEZ; however, that is changing on August 7, 2014, with the implementation of the generic Gulf and South Atlantic dealer permit. According to the 2011 County Business Patterns summary data, there were 573 seafood wholesale establishments in the Gulf and South Atlantic States and 449 in the Mid-Atlantic States. It is unknown how many of these establishments purchase king or Spanish mackerel that are harvested in Federal waters. Therefore, it is estimated that up to 1,022 seafood dealers could be indirectly affected by the prohibition on sales of king and Spanish mackerel harvested by commercial fishing vessels without Federal commercial king and Spanish permits and for-hire fishing vessels during for-hire fishing trips in Federal waters of the Atlantic.

The elimination of the income requirement will affect all businesses that presently own and operate fishing vessels with king mackerel and Spanish mackerel Federal commercial permits. There are 1,048 fishing vessels with both a king mackerel permit and Spanish mackerel permit. There are another 363 vessels with just a king mackerel permit and 687 vessels with just a Spanish mackerel permit. Hence, the elimination of the income requirement will directly affect the businesses that own and operate a combined 2,098 vessels that commercially harvest king and Spanish mackerel in Federal waters. Businesses that own and operate commercial fishing vessels with king and Spanish mackerel permits operate in the shellfish fishing, finfish fishing and for-hire fishing industries. It is presumed that most to all of those businesses are small. The elimination of the income requirement will also affect an unknown number of small finfish, shellfish and for-hire fishing businesses that presently are unable to get a Spanish or king mackerel permit because they do not meet the income requirement.

Currently, commercial fishing vessels without a Federal king or Spanish mackerel permit can harvest and sell no more than quantities up to the recreational bag limits for the species. The bag limit for Spanish mackerel is 15 fish in the Atlantic and Gulf EEZ. The bag limit for king mackerel is 2 fish in the Gulf EEZ and the Atlantic EEZ off Florida, and 3 fish in the Atlantic EEZ north of Florida. The maximum ex-vessel revenue per trip from bag-limit sales of king mackerel is estimated to range from $99 to $149, depending on where harvested. Similarly, the maximum ex-vessel revenue per trip from bag-limit sales of Spanish mackerel is estimated to be $124. Small businesses that own and operate commercial fishing vessels in the Gulf

and Atlantic EEZ without king and Spanish mackerel Federal permits could lose landings with a value up to $273 per trip; however, they could reduce that loss by $124 per trip by acquiring a Federal commercial Spanish mackerel permit at an annual cost of $25, plus the time to complete and submit the application form. Because a Federal commercial king mackerel permit is a limited access permit, a small commercial fishing business without that permit would have to purchase or otherwise acquire one from an existing permit holder, which greatly reduces a small business's ability to mitigate for losses of ex-vessel revenue from king mackerel landings.

Small businesses that own and operate for-hire fishing vessels in the Atlantic EEZ, on average, will lose landings with an ex-vessel value up to $273 per trip, while small businesses that that own and operate for-hire fishing vessels that also have a Federal commercial vessel permit in the Gulf EEZ will experience no losses. The indirect losses to small businesses in the seafood wholesale industry in the form of decreases in net revenues from purchases and sales of king and Spanish mackerel are unknown.

The action to eliminate the income requirement will generate an economic benefit to current and future king and Spanish mackerel permit holders who will not have to incur the cost of providing documentation that they satisfy an income requirement. It will also economically benefit small fishing businesses that currently cannot obtain a commercial Spanish or king mackerel permit because they do not satisfy the income requirement.

As discussed above, only the action to prohibit bag-limit sales of king and Spanish mackerel is expected to result in direct adverse economic effects on affected small entities and alternatives to minimize these adverse effects were considered. An alternative to allow sales of king and Spanish mackerel caught by anglers aboard for-hire fishing vessels with Federal commercial king and Spanish mackerel permits in the South Atlantic Council's jurisdiction was considered, but rejected, although it would have a smaller adverse economic impact on small businesses in the for-hire fishing industry than the preferred alternative. This rejected alternative would not reduce double-counting of landings, and therefore would not meet the Council's objective of improving landings data. Also, this rejected alternative would not address concerns about the impacts of recreational landings being counted against the commercial quota.

The status quo alternative that allows sales of king and Spanish mackerel harvested by commercial vessels without Federal commercial king and Spanish mackerel permits was considered, but rejected, because the South Atlantic Council chose to prohibit all sales of king and Spanish mackerel harvested by vessels without the above Federal commercial permits. The status quo alternative, however, would have a smaller adverse economic impact on small businesses in the finfish fishing industry than the preferred alternative.

An alternative to prohibit sales of king and Spanish mackerel by anglers aboard for-hire fishing vessels with Federal commercial king and Spanish mackerel permits in the Gulf Council's jurisdiction was also considered, but rejected because it would have a larger adverse economic impact on small businesses in the for-hire fishing industry than the preferred alternative. Also, because 2 percent of recreational allocation was previously transferred to the commercial sector, concerns about the impacts of recreational harvest counting against the commercial quota are not as prevalent in the Gulf.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as small entity compliance guides. As part of the rulemaking process, NMFS prepared a fishery bulletin, which also serves as a small entity compliance guide. The fishery bulletin will be sent to all CMP vessel permit holders in the Gulf and Atlantic region.

This final rule contains collection-of-information requirements subject to the PRA, which have been approved by OMB under control number 0648–0205. NMFS estimates the removal of the income qualification requirements for commercial king and Spanish mackerel permit holders will result in a net decrease in the time to complete the Federal Permit Application (for all applicants). In addition, the current burden estimate of 40 minutes per applicant to complete the application form would decrease to 30 minutes per applicant, because the application instructions have been simplified and reorganized so that there are half as many pages of instructions to read when filling out the application. These estimates of the public reporting burden include the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection-of-information.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection-of-information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection-of-information displays a currently valid OMB control number.

List of Subjects in 50 CFR Part 622

Atlantic, Coastal Migratory Pelagic Resources, Fisheries, Fishing, Gulf, King mackerel, Spanish mackerel.

Dated: June 10, 2014.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 622 is amended as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 2. In § 622.370, paragraphs (a)(1) and (3) are revised to read as follows:

§ 622.370 Permits.

(a) * * *

(1) *King mackerel.* For a person aboard a vessel to be eligible for exemption from the bag limits, to fish under a quota, or to sell king mackerel in or from the Gulf, Mid-Atlantic, or South Atlantic EEZ, a commercial vessel permit for king mackerel must have been issued to the vessel and must be on board. See § 622.371 regarding a limited access system applicable to commercial vessel permits for king mackerel and transfers of permits under the limited access system.

* * * * *

(3) *Spanish mackerel.* For a person aboard a vessel to be eligible for exemption from the bag limits, to fish under a quota, or to sell Spanish mackerel in or from the Gulf, Mid-Atlantic, or South Atlantic EEZ, a commercial vessel permit for Spanish mackerel must have been issued to the vessel and must be on board.

* * * * *

§ 622.371 [Amended]

■ 3. In § 622.371, remove paragraphs (c), (d), and (e), and redesignate paragraph (f) as paragraph (c).

■ 4. In § 622.386, paragraph (a) is revised and paragraphs (d) and (e) are added to read as follows:

§ 622.386 Restrictions on sale/purchase.

* * * * *

(a) *King and Spanish mackerel.* A king or Spanish mackerel harvested or possessed in the EEZ on board a vessel that does not have a valid commercial vessel permit for king mackerel, as required under § 622.370(a)(1), or a valid commercial vessel permit for Spanish mackerel, as required under § 622.370(a)(3), or a king or Spanish mackerel harvested in the EEZ or possessed under the bag limits specified in § 622.382, may not be sold or purchased, except when harvested under the bag limits on board a vessel operating in the Gulf as a charter vessel or headboat and that vessel has both a valid Federal charter vessel/headboat permit for Gulf coastal migratory pelagic fish, as required under § 622.370(b)(1), and a valid commercial vessel permit for king mackerel or Spanish mackerel, as required under § 622.370(a)(1), as appropriate to the species harvested or possessed.

* * * * *

(d) *Cut-off (damaged) king or Spanish mackerel.* A person may not sell or purchase a cut-off (damaged) king or Spanish mackerel that does not comply with the minimum size limits specified in § 622.380(b) or (c), respectively, or that is in excess of the trip limits specified in § 622.385(a) or (b), respectively.

(e) *State-permitted tournaments.* King or Spanish mackerel harvested in a state-permitted tournament in the South Atlantic, Mid-Atlantic, or the Gulf may not be sold for profit but may be donated to a state dealer or Federal dealer. Dealers accepting these tournament-caught king or Spanish mackerel must be permitted and must comply with all transfer and reporting requirements. Federally permitted dealers who accept donated king or Spanish mackerel under this section are exempt from the restrictions in paragraph (c) of this section, and can first receive these fish from non-federally permitted vessels. Dealers must donate the monetary value (sale price or cash equivalent of value received for the landings) from the sale of tournament-caught fish to a charitable organization, as determined by the state. The monetary value received from the sale of tournament-caught fish may not be used to pay for tournament expenses. In addition, the fish must be handled and iced according to the Hazard Analysis Critical Control Point (HACCP) standards, and dealers must report tournament caught king and Spanish mackerel as ''tournament catch'' and comply with all Federal and state reporting requirements.

[FR Doc. 2014–14016 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No.: 140305202–4478–02]

RIN 0648–BE07

Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery and Northeast Multispecies Fishery; Framework Adjustment 25

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

ACTION: Final rule.

SUMMARY: NMFS approves and implements regulations for Framework Adjustment 25 to the Atlantic Sea Scallop Fishery Management Plan (Framework 25), which the New England Fishery Management Council adopted and submitted to NMFS for approval. Framework 25 sets specifications for the Atlantic sea scallop fishery for fishing year 2014, including days-at-sea allocations, individual fishing quotas, and sea scallop access area trip allocations. This action also sets precautionary default FY 2015 specifications, in case NMFS implements the next framework after the March 1, 2015, start of fishing year 2015, and the fishery must operate under transitional measures. Framework 25 also allows vessels to land pounds that went unharvested in Closed Area I Access Area in 2012 and 2013 in a future year; develops Southern New England/Mid-Atlantic windowpane flounder accountability measures; and provides full-time scallop vessels the option to exchange their allocated Delmarva Access Area trip for 5 days-at-sea.

DATES: Effective June 16, 2014, except for the amendment to § 648.51(b)(4)(iv)(B) in amendatory instruction 4.b, which is effective July 16, 2014.

ADDRESSES: The Council developed an environmental assessment (EA) for this action that describes the action and other considered alternatives and provides a thorough analysis of the impacts of these measures. Copies of the Framework, the EA, and the Initial Regulatory Flexibility Analysis (IRFA), are available upon request from Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950. The EA/IRFA is also accessible via the Internet at *http://www.nefmc.org/scallops/index.html.*

Copies of the small entity compliance guide are available from John K. Bullard, Regional Administrator, NMFS, Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930–2298, or available on the Internet at *http://www.nero.noaa.gov/sustainable/species/scallop/.*

FOR FURTHER INFORMATION CONTACT: Travis Ford, Fishery Policy Analyst, 978–281–9233.

SUPPLEMENTARY INFORMATION:

Background

The scallop fishery's management unit ranges from the shorelines of Maine through North Carolina to the outer boundary of the Exclusive Economic Zone. The Scallop Fishery Management Plan (FMP), first established in 1982, includes a number of amendments and framework adjustments that have revised and refined the fishery's management. The Council sets scallop fishery specifications through framework adjustments that occur annually or biennially. This action includes allocations for fishing year (FY) 2014, as well as other scallop fishery management measures.

The Council adopted Framework 25 on January 29, 2014, and initially submitted it to NMFS on March 13, 2014, for review and approval. The Council submitted a revised final framework document on April 17, 2014. Framework 25 specifies measures for FY 2014, but includes FY 2015 measures that will go into place as a default, should the next specifications-setting framework be delayed beyond the start of FY 2015. NMFS is implementing Framework 25 after the start of FY 2014; FY 2014 default measures have been in place since March 1, 2014. Because the default allocation for the Limited Access General Category (LAGC) Individual Fishing Quota (IFQ) fleet is higher for FY 2014 than what is set under Framework 25, we identify and describe payback measures below to address unintended consequences of the late implementation of this action. This action includes some measures that are not explicitly in Framework 25, which we are implementing under the authority of section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act

(MSA). This section of the MSA provides that the Secretary of Commerce may promulgate regulations necessary to ensure that amendments to an FMP are carried out in accordance with the FMP and the MSA. These measures, which are separately identified and described below, are necessary to address unintended consequences of the late implementation of this action, as well as to clarify implied measures which may not have been explicitly included in Framework 25. The Council has reviewed the Framework 25 proposed rule regulations as drafted by NMFS and deemed them to be necessary and appropriate as specified in section 303(c) of the MSA. The proposed rule for Framework 25 published in the **Federal Register** on May 9, 2014 (79 FR 26690), with a 15-day public comment period that ended May 27, 2014. NMFS received two comments on the proposed measures.

The final Framework 25 management measures are described below. NMFS presented details concerning the Council's development of and rationale for these measures in the preamble of the proposed rule and has not repeated them in this final rule.

Specification of Scallop Overfishing Limit (OFL), Acceptable Biological Catch (ABC), Annual Catch Limits (ACLs), Annual Catch Targets (ACTs), and Set-Asides for FY 2014 and Default Specifications for FY 2015

The Council sets the OFL based on a fishing mortality rate (F) of 0.38, equivalent to the F threshold updated through the most recent scallop stock assessment. The Council sets the ABC and the equivalent total ACL for each FY based on an F of 0.32, which is the F associated with a 25-percent probability of exceeding the OFL. The Council's Scientific and Statistical Committee recommended scallop fishery ABCs for FYs 2014 and 2015 of 45.8 M lb (20,782 mt) and 52.9 M lb (23,982 mt), respectively, after accounting for discards and incidental mortality. The Scientific and Statistical Committee will reevaluate an ABC for FY 2015 when the Council develops the next framework adjustment.

TABLE 1—SCALLOP CATCH LIMITS FOR FYS 2014 AND 2015 FOR THE LA AND LAGC IFQ FLEETS

	2014	2015
Overfishing Limit	30,419 mt (67,062,427 lb)	34,247 mt (75,501,724 lb)
ABC/ACL w/discards removed	20,782 mt (45,816,475 lb)	23,982 mt (52,871,269 lb)
Incidental TAC	22.7 mt (50,000 lb)	22.7 mt (50,000 lb)
Research Set-Aside (RSA)	567 mt (1,250,000 lb)	567 mt (1,250,021 lb)
Observer Set-aside (1 percent of ABC/ACL)	208 mt (458,562 lb)	240 mt (529,110 lb)
LA sub-ACL (94.5 percent of total ACL, after deducting set-asides and incidental catch).	18,885 mt (41,634,305 lb)	21,879 mt (48,234,778 lb)
LA sub-ACT (adjusted for management uncertainty)	15,567 mt (34,319,360 lb)	16,540 mt (36,463,509 lb)
LAGC IFQ sub-ACL (5.0 percent of total ACL, after deducting set-asides and incidental catch).	999.2 mt (2,202,859 lb)	1,158 mt (2,552,105 lb)
LAGC IFQ sub-ACL for vessels with LA scallop permits (0.5 percent of total ACL, after deducting set-asides and incidental catch).	99.9 mt (220,286 lb)	116 mt (255,210 lb)

Table 1 outlines the scallop fishery catch limits derived from the ABC values. After deducting the incidental target total allowable catch (TAC) and the research and observer set-asides, the Council proportions out the remaining ACL available to the fishery according to the fleet allocations established in Amendment 11 to the Scallop FMP (Amendment 11; 72 FR 20090; April 14, 2008): 94.5 percent allocated to the limited access (LA) scallop fleet (i.e., the larger ''trip boat'' fleet); 5 percent allocated to the LAGC IFQ fleet (i.e., the smaller ''day boat'' fleet); and the remaining 0.5 percent allocated to LA scallop vessels that also have LAGC IFQ permits. We refer to these separate ACLs and their corresponding ACTs as sub-ACLs and sub-ACTs, respectively, throughout this action. Amendment 15 to the Scallop FMP (76 FR 43746; July 21, 2011) specified that no buffers to account for management uncertainty are necessary in setting the LAGC sub-ACLs, meaning that the LAGC sub-ACL would equal the LAGC sub-ACT. As a result, the LAGC sub-ACL values in Table 1, based on an F of 0.32, represent the amount of catch that NMFS will use to calculate IFQ percentage shares for each vessel's IFQ for a given FY. For the LA fleet, the Council set a management uncertainty buffer based on the F associated with a 75-percent probability of remaining below the F associated with ABC/ACL, which results in an F of 0.28.

This action deducts 1.25 M lb (567 mt) of scallops annually for FYs 2014 and 2015 from the ABC and sets it aside as the Scallop RSA to fund scallop research and to compensate participating vessels through the sale of scallops harvested under RSA projects. Beginning March 1, 2014, this set-aside is available for harvest by RSA-funded projects in open areas. In an effort to reduce mortality of both larger and smaller scallops in the Nantucket Lightship (NLS) and Delmarva (DMV) access areas, Framework 25 does not allow RSA to be harvested from these two areas, and once this action is approved and implemented, applicable vessels will be able to harvest RSA from the Closed Area II access area (CA2) or open areas.

This action also removes 1 percent from the ABC and set it aside for the industry-funded observer program to help defray the cost of carrying an observer. The observer set-aside for FYs 2014 and 2015 are 208 mt (458,562 lb) and 240 mt (529,110 lb), respectively.

Temporary Adjustment to the Principles Used for Setting Target Catch Levels

This action temporarily modifies a current principle used for setting target catch levels in this fishery. Specifically, the overfishing definition approved in Amendment 15 includes three main principles to set target catch: (1) F in open areas cannot exceed 0.38; (2) spatially averaged F target is limited to 0.28 for all areas combined (open and closed areas); and (3) F targets for access areas are based on a time-averaged principle (i.e., higher F in some years followed by closures or limited fishing levels in subsequent years). This action temporarily modifies the first principle, and allows open area F to exceed F threshold (0.38) for FY 2014 only. Because NMFS does not consider this a modification of the overall overfishing definition for the fishery as a whole, this temporary change is a frameworkable measure under the Scallop FMP. This minor, temporary adjustment is consistent with the FMP, and, when analyzed in connection with measures

for access to closed areas, still consistent with achieving an overall F of 0.28. Open area F will increase to a level that provides projected catch levels similar to FY 2013, but will not exceed an overall combined F of 0.28 for all areas. The OFL for the scallop stock as a whole (F of 0.38) will remain unchanged. The estimates of F for this action are 0.52 for open areas, and 0.21 for all areas combined. Framework 25 projects that this level of effort in the open area will provide short-term economic benefits that outweigh any reduction in benefits due to projected marginal reductions in future DAS allocations in open areas.

Open Area Days-at-Sea (DAS) Allocations

This action implements vessel-specific DAS allocations for each of the three LA scallop DAS permit categories (i.e., full-time, part-time, and occasional) for FYs 2014 and 2015 (Table 2). The FY 2014 DAS allocations in Table 2 represent an increase in DAS for full-time, part-time, and occasional vessels from the allocations set at the start of FY 2014 (i.e., 23, 9, and 2 DAS, respectively). FY 2015 DAS allocations are precautionary, and are set at 75 percent of what current biomass projections indicate could be allocated to each LA scallop vessel for the entire FY so as to avoid over-allocating DAS to the fleet in the event that the framework that will set those allocations, if delayed past the start of FY 2015, estimates that DAS should be less than currently projected. The allocations in Table 2 exclude any DAS deductions that are required if the limited access scallop fleet exceeded its 2013 sub-ACL.

TABLE 2—SCALLOP OPEN AREA DAS ALLOCATIONS FOR FYS 2014 AND 2015

Permit category	FY 2014	FY 2015
Full-Time	31	17
Part-Time	12	7
Occasional	3	1

LA Trip Allocations, the Random Allocation Process, and Possession Limits for Scallop Access Areas

Framework 25 maintains the current closure of the ETA for FYs 2014 and 2015. In addition, Framework 25 closes the Hudson Canyon Access Area (HCA) and the Closed Area 1 Access Area (CA1) for FYs 2014 and 2015 because these access areas are no longer able to support profitable trips and to protect recruitment in HCA.

For FY 2014, full-time LA vessels will receive two 12,000-lb (5,443-kg) access area trips. We will allocate each vessel allocate one trip in either the NLS or CA2 access area, and one trip in the DMV. Table 3 shows the total number of trips allocated to full-time vessels for each area.

TABLE 3—TOTAL NUMBER OF FY 2014 FULL-TIME TRIPS BY ACCESS AREA

Access area	Number of full-time vessel trips
HCA	0
DMV	313
ETA	0
CA1	0
CA2	197
NLS	116
Total	* 626

* There are a total of 313 full-time vessels and each vessel will receive 2 trips.

Part-time vessels will receive one FY 2014 access area trip allocation in 2014 equivalent to 9,600 lb (4,354 kg), and vessels with limited access occasional permits will receive one 2,000-lb (907-kg) trip. These trips could be taken in any one of the access areas that is open to the fishery for FY 2014 (i.e., DMV, NLS, or CA2).

In order to ensure appropriate access area allocations in the next framework adjustment, Framework 26, we did not allocate any access area trips under FY 2015 default measures. The next framework that would replace these FY 2015 default measures would include the FY 2015 access area allocations based on updated scallop projections. If Framework 26 is delayed past March 1, 2015, scallop vessels will be restricted to fishing in open areas until final FY 2015 specifications are implemented. However, vessels will be able to fish FY 2014 compensation trips in the access areas that were open in FY 2014 (e.g., DMV, NLS, and CA2) for the first 60 days that those areas are open in FY 2015, or until Framework 26 is approved and implemented, whichever occurs first. NMFS does not expect this level of effort to greatly impact the scallop resource or affect FY 2015 allocations.

In order to avoid allocating trips into access areas with scallop biomass levels not large enough to support a full trip by all 313 LA full-time vessels, Framework 25 allocates ''split-fleet'' trips into certain access areas. First, Framework 25 allocates each full-time vessel one trip in the DMV area. Then Framework 25 randomly allocates one trip to each full-time vessel into either NLS or CA2. In order to facilitate trading trips between vessels, the Council has already specified allocations for full-time vessels for FY 2014. These allocations are listed in Appendix IV of the Framework 25 document (See **ADDRESSES**), as well as NMFS's Web site.

Ability To Exchange a DMV Trip for 5 DAS

In response to uncertain projections of scallop sizes and densities in DMV, this action gives LA vessels the flexibility to exchange their 12,000-pound DMV trip for 5 open area DAS. If a vessel chooses not to fish in DMV and, instead, fish take the additional 5 DAS, the vessel will automatically receive the additional 5 DAS in one of two ways. First, DMV will close 90 days after the implementation of Framework 25. If a vessel does not take its DMV trip before DMV closes, that vessel will automatically be credited 5 additional DAS. For example, Vessel A will receive 31 DAS once this action goes into place. When DMV closes 90 days after the implementation of Framework 25, if Vessel A never declared or fished a DMV trip, then Vessel A will automatically be credited with 5 additional DAS, giving Vessel A a total of 36 DAS for FY 2014. Alternatively, a vessel could fish its initial allocation of 31 open area DAS before the DMV closes, then fish five additional DAS by deciding not fish a DMV trip, regardless of whether the DMV has closed. For example, if Vessel B fishes a total of 31 DAS prior to the DMV closing, it could fish up to an additional 5 DAS even if the DMV hasn't closed. Vessel B could not fish in the DMV subsequent to using any or all of the additional 5 DAS. We will track trips and declarations to automatically convert the non-used DMV trip into 5 additional DAS. We will notify all vessel owners of this process upon the implementation of this action.

LAGC Measures

1. *Sub-ACL for LAGC vessels with IFQ permits.* For LAGC vessels with IFQ permits, this action sets a 2,202,859-lb (999.2-mt) ACL for FY 2014 and an initial ACL of 2,552,105 lb (1,158 mt) for FY 2015 (Table 1). We calculate IFQ allocations by applying each vessel's IFQ contribution percentage to these ACLs. These allocations assume that no LAGC IFQ AMs are triggered. If a vessel exceeds its IFQ in a given FY, its IFQ for the subsequent FY will be reduced by the amount of the overage.

Because Framework 25 is going into effect after the March 1 start of FY 2014, we implemented the default FY 2014 IFQ allocations. These default FY 2014 IFQ allocations are higher than those set

by Framework 25. To provide the ability for IFQ permit holders to transfer the entirety of their final FY 2014 quota, industry members requested that vessels have access to their full allocation at the beginning of the FY. Consequently, it is possible that scallop vessels could exceed their Framework 25 IFQ allocations during this interim period between March 1, 2014, and NMFS's implementation of the IFQ allocations in Framework 25. To account for this possibility, Framework 25 specifies the following payback measure for LAGC IFQ vessels: If a vessel transfers (i.e., temporary lease or permanent transfer) all of its allocation to other vessels prior to Framework 25's implementation (i.e., transfers more than it is ultimately allocated for FY 2014), the vessel that transferred in the pounds will receive a pound-for-pound deduction in FY 2014 (not the vessel that leased out the IFQ). This is the identical process that NMFS took at the start of last year (FY 2013) to account for lower allocations that will be implemented mid-year. Examples on how these payback measures would be applied are available in the preamble to the proposed rule. LAGC permit holders have been notified of these potential payback provisions.

The onus is on the vessel owners to have a business plan to account for the mid-year adjustments in light of these payback measures. We sent a letter to IFQ permit holders providing both March 1, 2014, IFQ allocations and Framework 25 proposed IFQ allocations so that vessel owners know how much they can transfer to avoid any overages incurred through transferring full allocations prior to the implementation of Framework 25. We have explained the consequences of owners' leasing decisions that involve full allocations that will be reduced under Framework 25.

2. *Sub-ACL for LA Scallop Vessels with IFQ Permits.* For LA scallop vessels with IFQ permits, this action sets a 220,286-lb (99.9-mt) ACL for FY 2014 and an initial 255,210-lb (116-mt) ACL for FY 2015 (Table 1). We calculate IFQ allocations by applying each vessel's IFQ contribution percentage to these ACLs. These allocations assume that no LAGC IFQ AMs are triggered. If a vessel exceeds its IFQ in a given FY, its IFQ for the subsequent FY will be reduced by the amount of the overage.

If a vessel fishes all of the scallop IFQ it receives at the start of FY 2014, it will incur a pound-for-pound overage deduction that will be applied against its FY 2015 IFQ allocation, along with any other overages incurred in FY 2014, as part of the individual AM applied to the LA vessels with LAGC IFQ permits. These vessels cannot participate in the IFQ transfer program, so transferring in more quota is not an option.

3. *LAGC IFQ Trip Allocations and Possession Limits for Scallop Access Areas.* Table 4 outlines the total number of FY 2014 LAGC IFQ fleetwide access area trips. Once the total number of trips is projected to be fished, we will close that access area to LAGC IFQ vessels for the remainder of FY 2014.

TABLE 4—LAGC FLEET-WIDE ACCESS AREA TRIP ALLOCATIONS FOR FY 2014

Access area	FY 2014
CA1	0
CA2	0
NLS	241
HC	0
ETA	0
DMV	516

To make up for the fact that the IFQ vessels will not be able to access CA2, the Council specified in Framework 25 to include 5.5 percent of the CA2 available TAC in setting LAGC IFQ fleetwide access area trip allocations, essentially shifting those CA2 trips to other access areas closer to shore, so that LAGC IFQ vessels will have the opportunity to harvest up to 5.5 percent of the overall access area TAC, not just that available in areas open to them. Specifically, this action will equally divide 226 trips that would have been allocated to CA2 into the other 2 areas (DMV and NLS), adding 113 additional trips per area.

In order to preserve appropriate access area allocations, there will be no access area trips allocated to LAGC IFQ vessels under FY 2015 default measures. The next framework that will replace these FY 2015 default measures will include the FY 2015 access area allocations based on updated scallop projections. If Framework 26 is delayed past March 1, 2015, LAGC IFQ scallop vessels will be restricted to fishing their IFQ allocations in open areas until final FY 2015 specifications are implemented.

4. *NGOM TAC.* This action sets a 70,000-lb (31,751-kg) annual NGOM TAC for FYs 2014 and 2015. The allocation for FY 2015 assumes that there are no overages in FY 2014, which will trigger a pound-for-pound deduction in FY 2015 to account for the overage.

5. *Scallop Incidental Catch Target TAC.* This action sets a 50,000-lb (22,680-kg) scallop incidental catch target TAC for FYs 2014 and 2015 to account for mortality from this component of the fishery, and to ensure that F-targets are not exceeded.

Restrictions to the DMV

1. Seasonal Restriction

Framework 25 allows all scallop vessels to fish their FY 2014 DMV trips from June 16, 2014 until September 15, 2014. The closure of DMV following the 3-month fishery reduces mortality by concentrating harvest in the area when meat yields are the highest.

2. Crew Limit Restrictions

In an effort to protect small scallops and discourage vessels from highgrading (discarding smaller scallops in favor of larger ones), Framework 25 imposes a crew limit of seven individuals per LA vessel in DMV. If a vessel is participating in the small dredge program it may not have more than five people on board.

Unharvested Pounds in Closed Area 1

1. FY 2012

Towards the end of FY 2012 and into FY 2013, catch rates in CA1 began to drop below profitable levels. Many vessels were unable to harvest the pounds associated with their CA1 trips. This action allows unused pounds associated with FY 2012 CA1 trips to be to be harvested by some of those vessels in CA1 when it reopens in the future. For FY 2012 CA1 trips, this opportunity is limited to vessels that submitted a broken trip adjustment sheet and qualified for a compensation trip.

2. FY 2013

Because catch rates had not yet begun to fall in CA1 during development of the FY 2013 specifications, Framework 24 allocated an additional 118 trips into CA1 in FY 2013. Most of the vessels allocated CA1 FY 2013 trips were unable to fish some or any of their trips. Framework 25 allows unharvested pounds associated with FY 2013 CA1 trips to be harvested by the vessel in CA1 when it reopens in the future. Because the potential for this provision had been discussed throughout the year, for FY 2013 CA1 trips, vessels are not required to submit a broken trip adjustment sheet to receive the opportunity to harvest these unused pounds. Instead, NMFS will determine which vessels have scallop pounds left to harvest and will inform vessel owners after Framework 25 is implemented.

Any CA1 pounds that will be allocated to vessels from FYs 2012 or 2013 to be harvested in a future FY will come off that future FY's LA sub-ACL. The Scallop FMP sets an ACL for every FY based on the most up-to-date

surveys, and we cannot allocate the fleet any additional scallops above this limit even if they are ''carried over'' from prior years.

Addition of Southern New England/ Mid-Atlantic (SNE/MA) Windowpane Flounder AMs

Framework Adjustment 48 to the Northeast Multispecies FMP (78 FR 26118, May 3, 2013) established a sub-ACL for SNE/MA windowpane flounder. This action contains two measures for AMs to respond to and prevent, reactive and proactive, respectively, overages in the SNE/MA windowpane flounder sub-ACL.

1. Reactive AM

This action adds a reactive AM for SNE/MA windowpane flounder. If the scallop sub-ACL for the scallop fishery is exceeded, the area west of 71° W. Long., excluding Mid-Atlantic access areas (HCA, ETA, and DMV), will be considered the SNE/MA windowpane flounder gear restricted area. Scallop vessels participating in the DAS or LAGC IFQ scallop fisheries would be required to comply with the gear restrictions described below for the months of February or February through March, depending on the severity of the overage (Table 5).

TABLE 5—SNE/MA WINDOWPANE FLOUNDER AM LENGTH OF GEAR RESTRICTION

Percent overage of sub-ACL	Length of gear restriction
0–20	February.
>20	March and February.

When a vessel is subject to the SNE/MA windowpane flounder accountability measure gear restricted area, the vessel will be required to fish with dredges where:

(1) The maximum number of rows of rings in the apron of the topside does not exceed five rows; and

(2) The maximum hanging ratio for a net, net material, or any other material on the top of a scallop dredge (twine top) possessed or used by vessels fishing with scallop dredge gear does not exceed 1.5:1 overall. An overall hanging ratio of 1.5:1 means that the twine top is hung alternating 2 meshes per ring and 1 mesh per ring (counted at the bottom where the twine top connects to the apron), for an overall average of 1.5 meshes per ring for the entire width of the twine top. For example, an apron that is 40 meshes wide (not including any ring in the side pieces) will only be able to use a twine top with 60 or fewer meshes so that the overall ratio of meshes to rings did not exceed 1.5 (60 meshes/40 rings = 1.5) (copies of a figure depicting this gear are available from the Regional Administrator upon request).

2. Proactive AM

In addition to the reactive AM described above, this action implements a gear restriction in the area west of 71° W. Long., excluding Mid-Atlantic access areas that are meant to help reduce bycatch of windowpane flounder and other species of flatfish. This is considered to be a proactive AM because it may avoid the exceeding of the sub-ACL for this stock. The specific gear restriction requires dredge vessels to have a maximum of seven rows in the apron. Current twine top restrictions state that a dredge greater than 8 feet (2.44 m) in width, must have at least 7 rows of rings between the terminus of the dredge (clubstick) and the twine top. However, recent gear research has shown that a shorter apron, for example five rows of rings from the clubstick, may reduce flatfish bycatch.

This measure applies to the area west of 71° W. Long., excluding Mid-Atlantic access areas, year-round. This measure may reduce flatfish bycatch by requiring vessels that fish in the AM area all year to use a maximum of seven rows, and enable vessels to voluntarily fish with an even shorter apron, less than seven rings, to proactively reduce flatfish bycatch in any area or season. This measure applies to all scallop dredge vessels (LA and LAGC IFQ).

Other Clarifications and Modifications

This rule includes several revisions to the regulations to address text that is duplicative and unnecessary, outdated, unclear, or otherwise could be improved. NMFS sets these changes consistent with section 305(d) of the MSA. For example, we are removing regulations that referred to payback measure from FY 2013 due to the delayed implementation of Framework 24. We are revising the regulations to remove measures intended by previous rulemaking, and to provide more ease in locating these regulations by updating cross references.

This action also implements revisions that will clarify the intent of certain regulations. For example, and we are adding clarifying language to the IFQ quota transfer regulations to make it clear that the intent of Amendment 11 to the Scallop FMP was to allow vessels in confirmation of permit history to transfer IFQ. Additionally, regulations are unclear regarding how a LAGC IFQ vessel's potential carryover is calculated. We are clarifying that a vessel's potential carryover is 15 percent of the vessel's original IFQ and the total of transferred in minus transferred out IFQ. As such, NMFS clarifies these regulations. NMFS also adds more description to some access area and habitat closed area coordinates to clarify the boundaries of those areas.

Comments and Responses

NMFS received two comment letters in response to the proposed rule from: Fisheries Survival Fund (FSF), a scallop fishing industry representative, and one individual. Commenters raised four relevant issues relating to the proposed Framework 25 measures, and we provide responses below. NMFS may only approve, disapprove, or partially approve measures in Framework 25, and cannot substantively amend, add, or delete measures beyond what is necessary under section 305(d) of the MSA to discharge its responsibility to carry out such measures.

Comment 1: One commenter stated that FY 2014 scallop quotas should be reduced by 25 percent. The commenter provided no rationale for why the selected quotas should be reduced in the manner suggested.

Response: The reasons presented by the Council and NMFS for recommending the quota allocations for FYs 2014 and 2015, which we discuss in the preambles to both the proposed and final rules, are based on the best scientific information available and are consistent with the control rules outlined in Amendment 15's ACL process. Scallops are currently not considered overfished or subject to overfishing. Sufficient analysis and scientific justification for NMFS's action in this final rule are contained within the supporting documents.

Comment 2: FSF had concerns regarding timing for implementation of the proposed specifications and suggested that we proceed with the final rule and implementation of this action as quickly as possible, with the exception of the proactive SNE/MA windowpane flounder AM to provide vessel owners a small amount of time to complete gear modifications and ensure compliance with the new rules.

Response: NMFS agrees with their timing suggestions and will be implementing all measures upon publication of this final rule, with the exception of the SNE/MA windowpane flounder proactive AM, which will have a 30-day delay in effectiveness.

Comment 3: FSF commented that when CA1 trips were cut short in 2012 and 2013, fishery participants had a clear expectation that the remaining

portions of these trips would be available for harvest in addition to regular allocations when CA1 reopens and not deducted from the LA fishery's sub-ACL for the year in which they are used as the proposed rule suggests.

Response: The EA and proposed rule for Framework 25 are both clear that CA1 pounds carried over from 2012 or 2013 will be deducted from the LA fishery's sub-ACL for the year in which they are used and not additional catch above the LA sub-ACL. NMFS reiterated this requirement to industry representatives and Council members throughout the development of Framework 25. The overfishing definition approved in Amendment 15 includes a principle to set target catch so that spatially averaged F target is limited to 0.28 for all areas combined (open and closed areas). Any fishing effort that results from the allocation carried over from CA1 trips in fishing years 2012 and 2013 must be included in the biologically-based catch limit for the year in which we allocate CA1 makeup trips.

Comment 4: FSF commented that the regulatory language in the proposed rule describing the process for implementing SNE/MA windowpane flounder AMs is ambiguous and could be interpreted to require that the AM be implemented immediately upon determination of the overage instead of the year following the overage.

Response: This action does not adjust the existing language for how we implement AMs in the scallop FMP. Framework 25 references existing regulations found at § 648.90(a)(5)(iv) that were developed in Framework Adjustment 23 to the Atlantic Sea Scallop FMP (77 FR 20728, April 6, 2012). However, in response to this comment, we made minor edits to the regulatory language in § 648.65(b)(2) and § 648.65(c)(1) to help clarify the Council's intent that AMs will not be implemented in the year of an overage.

Changes From Proposed Rule to Final Rule

In response to a comment received during the public comment period, we made minor edits to the regulatory language in § 648.65(b)(2) and § 648.65(c)(1) to help clarify the Council's intent that SNE/MA windowpane flounder AMs will be implemented in the year following an overage.

Classification

Pursuant to section 304(b)(1)(A) of the MSA, the NMFS Assistant Administrator has determined that this final rule is consistent with the FMP, other provisions of the MSA, and other applicable law.

The Office of Management and Budget has determined that this rule is not significant according to Executive Order 12866.

This final rule does not contain policies with federalism or ''takings'' implications, as those terms are defined in E.O. 1312 and E.O. 12630, respectively.

This rule does not contain a collection-of-information requirement subject to review and approval by the Office of Management and Budget under the Paperwork Reduction Act.

The Assistant Administrator for Fisheries has determined that the need to implement these measures in an expedited manner in order to help achieve conservation objectives for the scallop fishery and certain fish stocks constitutes good cause, under authority contained in 5 U.S.C. 553(d)(3), to waive the 30-day delay in effectiveness and to make the majority of Framework 25 final measures effective June 16, 2014. The only exception to this that the proactive AM for SNE/MA windowpane flounder found in § 648.51(b)(4)(iv)(B) is effective July 16, 2014, in order to give vessels the opportunity to modify their gear to comply with regulations.

If there is a 30-day delay in implementing the measures in Framework 25, the scallop fleet will continue under the current default access area, DAS, IFQ, RSA and OBS allocations. These default allocations were purposely set to be more conservative than what would eventually be implemented under Framework 25. Under default measures, each full-time vessel has 23 DAS and no access area trips. This action will provide full-time vessels with an additional 8 DAS (31 DAS total) and two 12,000 lb access area trips. Further, the catch rates and meat quality in DMV will be best in June and July, so the longer we delay access to DMV, the less productive the area will be. Delaying the implementation of Framework 25 for 30 days would be contrary to the public interest because continuing with these lower allocations would negatively impact the access area rotation program, as well as the scallop fleet economically.

NMFS was unable to allow for a 30-day delay in effectiveness for Framework 25 rulemaking due to the Council's April 2014 submission of Framework 25. However, NMFS must also consider the need of the scallop industry to have prior notice in order to make the necessary preparations to comply with the gear changes required by the SNE/MA windowpane flounder proactive AM. For these reasons, NMFS has determined that implementing these measures immediately, and with a 30-day delay in effectiveness of the SNE/MA windowpane flounder proactive AM, would have the greatest public benefit.

NMFS, pursuant to section 604 of the Regulatory Flexibility Act (RFA), completed a final regulatory flexibility analysis (FRFA) in support of Framework 25 in this final rule. The FRFA incorporates the IRFA, a summary of the significant issues raised by the public comments in response to the IRFA, NMFS responses to those comments, a summary of the analyses completed in the Framework 25 EA, and this portion of the preamble. A summary of the IRFA was published in the proposed rule for this action and is not repeated here. A description of why this action was considered, the objectives of, and the legal basis for this rule is contained in Framework 25 and in the preamble to the proposed and this final rule, and is not repeated here. All of the documents that constitute the FRFA are available from NMFS and a copy of the IRFA, the RIR, and the EA are available upon request (see **ADDRESSES**).

An IRFA has been prepared, as required by section 603 of the Regulatory Flexibility Act (RFA). The IRFA consists of Framework 25 analyses, its draft IRFA, and the preamble to this action.

Summary of the Significant Issues Raised by the Public Comments in Response to the IRFA, a Summary of the Assessment of the Agency of Such Issues, and a Statement of Any Changes Made in the Proposed Rule as a Result of Such Comments

NMFS received no public comments directly in response to the IRFA prepared for the proposed rule.

Description and Estimate of Number of Small Entities to Which the Final Rule Will Apply

Framework 25 measures affect all vessels with LA and LAGC scallop permits. The Framework 25 document provides extensive information on the number and size of vessels and small businesses that will be affected by these regulations, by port and state (see **ADDRESSES**). There were 313 vessels that obtained full-time LA permits in 2012, including 250 dredge, 52 small-dredge, and 11 scallop trawl permits. In the same year, there were also 34 part-time LA permits in the sea scallop fishery. No vessels were issued occasional scallop permits. NMFS issued 278 LAGC–IFQ permits in 2012. Since all

scallop permits are limited access, vessel owners would cancel permits only if they decide to stop fishing for scallops on the permitted vessel permanently or if they transfer IFQ to another IFQ vessel and permanently relinquish the vessel's scallop permit. This is not likely to occur due to the value of retaining the permit. As such, the number of scallop permits could decline over time, but would likely be fewer than 10 permits per year.

The RFA defines a small business in shellfish fishery as a firm that is independently owned and operated and not dominant in its field of operation, with receipts of up to $5 M annually. In scallop FMP actions prior to Framework 24, each vessel was considered a small business entity and was treated individually for the purposes of the RFA analyses. Since Framework 24, the Council recognizes ownership affiliations and makes very basic connections between multiple vessels to single owners and makes distinctions between large business entities and small business entities, as defined by the RFA. Every LA vessel has multiple owners and some owners of a particular vessel have ownership interest in other vessels with different entities. There have been 132 distinct business entities (23 larger business entities and 109 small business entities) in the scallop limited access fishery as of FY 2012, slightly lower than the number of businesses in FY 2010. The primary industry of all these individual businesses was identified as ''scallop'' fishery, because their revenues from the scallop fishery exceeded the revenues from all other species. Scallop revenue averaged over 96-percent of the total revenue during FYs 2010–2012 for the businesses with LA permits. The sum of annual gross receipts from all scallop vessels operated by the majority of the multiple boat owners (but not all) would exceed $5 M in 2011 and 2012, qualifying them as ''large'' entities. From FY 2010 to FY 2012, 193 vessels, including LA and LAGC permitted-vessels, belonged to 23 large business entities that grossed more than $5 M annually in scallop revenue. In the same year, 155 vessels belonged to 109 small business entities (ownership ranged from 1 to 4 vessels) that grossed less than $5 M a year in scallop revenue.

The Office of Advocacy at the Small Business Administration (SBA) suggests two criteria to consider in determining the significance of regulatory impacts on small entities; namely, disproportionality and profitability. The disproportionality criterion compares the effects of the regulatory action on small versus large entities (using the SBA-approved size definition of ''small entity''), not the difference between segments of small entities. The changes in profits, costs, and net revenues due to Framework 25 are not expected to be disproportional for small versus large entities since each vessel will receive the same number of open areas DAS and access area trips allocations according to the categories they belong to (i.e., the allocations for all full-time vessels are identical, and the allocations for the part-time and occasional vessels are proportional to the full-time allocations, 40 percent and 8.33 percent of the full-time allocations, respectively). As a result, this action has proportionally similar impacts on revenues and profits of each vessel and each multi-vessel owner compared both to status quo (i.e., FY 2013) and no action levels. Therefore, this action is not expected to have disproportionate impacts or place a substantial number of small entities at a competitive disadvantage relative to large entities. A summary of the economic impacts relative to the profitability criterion is provided in the proposed rule under ''Economic Impacts of Proposed Measures and Alternatives.''

Description of the Steps the Agency Has Taken To Minimize the Significant Economic Impact on Small Entities Consistent With the Stated Objectives of Applicable Statutes, Including a Statement of the Factual, Policy, and Legal Reasons for Selecting the Alternative Adopted in the Final Rule and Why Each One of the Other Significant Alternatives to the Rule Considered by the Agency Which Affect the Impact on Small Entities Was Rejected

During the development of Framework 25, NMFS and the Council considered ways to reduce the regulatory burden on, and provide flexibility for, the regulated entities in this action. Final actions and alternatives are described in detail in Framework 25, which includes an EA, RIR, and IRFA (available at **ADDRESSES**). The measures implemented by this final rule minimize the long-term economic impacts on small entities to the extent practicable. Reasonable alternatives, particularly for the prescribed catch limits, are limited because of the legal requirements to implement effective conservation measures which necessarily may result in negative impacts that cannot be effectively mitigated. Catch limits are fundamentally a scientific calculation based on the scallop FMP control rules and SSC approval, and, therefore are legally limited to the numbers contained in this rule. Moreover, the limited number of alternatives available for this action must be evaluated in the context of an ever-changing fishery management plan that has considered numerous alternatives over the years and have provided many mitigating measures applicable every fishing year.

Allocations for the LA and LAGC Scallop Fleets

The open area DAS allocations are expected to prevent overfishing in open areas. The Framework 25 analysis of the fleet-wide aggregate economic impacts indicate that the selected alternative and all other alternatives are expected to be positive both in the short (2014) and the long term compared to the No Action alternative. The No Action alternative would have allocated 23 DAS to the fleet and no Access Area trips for FY 2014. The selected alternative (Alternative 4) will result in highest landings (17,463 mt), revenues ($427.8 M) and total economic benefits ($429.9 M) in 2014 among all the alternatives considered. The total economic benefits of this alternative exceeds the No Action levels by $151.8 in FY 2014 and by $6.5 M ($26.3M) over the long-term if a 7-percent (3-percent) discount rate was used to estimate the present value of cumulative benefits. However, long-term economic benefits under the preferred alternative are less than the benefits for Alternative 3 using a 7-percent discount rate, and less than the benefits for Alternative 2, Alternative 3 and Alternative 5 using a discount rate of 3-percent to estimate cumulative present value of net economic benefits. These alternatives were not selected because the short-term economic benefits of Alternative 4 outweighed those of these alternatives. Alternative 6 was not selected because the Council did not want to further increase the effort in the open area.

In summary, the economic impacts of the selected LA and LAGC allocation measures are expected to have positive impacts on the revenues and profits of the small businesses in the scallop industry in FY 2014, compared to the No Action alternative and similar impacts compared to FY 2013 conditions. Over the long term, the economic impacts of the selected alternative on the majority of small business entities in scallop fishing industry are projected to be positive when compared to No Action.

Measures To Address Unused CA1 Trips

This action allows rollover of unused FY 2012 and FY 2013 CA1 trips a future FY. This action will have positive

economic impacts on vessels with unused trips by allowing them to land their CA1 allocations in a future year and low negative impacts on the rest of the fishery since this rollover would likely result in reduction in allocations in future years for the fleet. A No Action Alternative was considered for this measure, but it was rejected because it would prevent a vessel from fully utilizing its allocation if it had, for example, a broken trip, which would have a negative impact on the revenues and profits if those vessels with unused trips.

This measure will impact future access for the LA fishery overall since this unused catch will need to be accounted for within the LA sub-ACL. Future access in and around CA1 will be lower for the overall fleet compared to No Action. Spreading access over 2 years would lower those negative impacts somewhat although not totally. Therefore, the economic impacts of the preferred alternatives are positive for those vessels that are allowed to use their unused trips in a future year and would be low negative on the remainder of the fleet with no unused trips.

NGOM TAC

This action sets the NGOM TAC at 70,000 lbs for FY 2014. The selected action (No Action alternative) specifies a 70,000-lb (31,751-kg) TAC for the NGOM and will not have additional economic impacts on the participants of the NGOM fishery. The NGOM TAC has been specified at this level since FY 2008, and the fishery has harvested less than 60 percent of the TAC in each FY; therefore, the TAC has no negative economic impacts. There are no alternatives that would generate higher benefits for NGOM scallop vessels. The alternative for setting the NGOM TAC at 58,000 lb (26,308 kg) is expected to reduce the chance of excess fishing in Federal waters in the NGOM management area, but considering that NGOM vessels have never exceeded the TAC, neither alternative is expected to impact vessels. Thus, negligible economic impacts are expected from the No Action alternative and the other NGOM Alternative.

SNE/MA Windowpane Flounder AMs

This action implements a gear restricted area for a specified period of time with higher bycatch rates of SNE/MA windowpane flounder if the scallop fishery exceeds its sub-ACL and the entire ACL is exceeded, or the sub-ACL is exceeded by more than 50 percent. The AM area is in all waters west of 71° W. Long., not including scallop access areas. If AMs are triggered and the overage by the scallop fishery is estimated to be >0 and <20-percent the AM would be in place for the month of February. If the overage is over 20 percent the AM season would be for the months of February and March. Further, this action implements a proactive AM that requires all scallop dredge vessels (LA and LAGC) to fish with a maximum of seven rows of rings in the apron of their dredge in waters west of 71° W. Long., excluding the Mid-Atlantic access areas to reduce the chance the fishery would exceed the sub-ACL.

Alternative 2 considered area closures for a windowpane flounder reactive AM. Alternative 2 was not selected because the scallop industry prefers gear restricted areas as opposed area closures and the gear restricted area. This allows them to continue to fish throughout the year and have a positive economic impact compared to area closures. Further, the larger gear restricted area in Alternative 3 (the selected alternative) presented a more enforceable and less confusing AM compared to Alternative 2.

Overall, this rule minimizes adverse long-term impacts by ensuring that management measures and catch limits result in sustainable fishing mortality rates that promote stock rebuilding, and as a result, maximize yield. The measures implemented by this final rule also provide additional flexibility for fishing operations in the short-term. This final rule implements several measures that enable small entities to offset some portion of the estimated economic impacts. These measure include: Prorating LAGC IFQ access area trips to incorporate CA2; temporarily modifying a current principle used for setting target catch levels in this fishery to provide additional DAS; implementing a reactive AM that employs a gear restriction as opposed to an area closure; allowing full-time vessels to exchange their DMV trip for 5 DAS; and allowing vessel to land unharvest CA1 pounds in a future FY.

This final action prorates LAGC IFQ trips proportionally in all open access areas excluding CA2, with positive economic impacts on the LAGC vessels because they will be able to use CA2 trips in areas closer to the shore with lower trip costs, and will offset some of the negative impacts of the reduced FY 2013 allocation.

This action also temporarily modifies a current principle used for setting target catch levels in this fishery. Specifically, this action allows open area F to exceed threshold (0.38) for FY 2014 only to provide additional DAS to vessels in a year when catch available in access areas is lower than previous years.

Unlike the current limited access AMs that close areas for up to a full FY, the SNE/MA windowpane flounder AM that will be implemented with this final rule allow for fishing to continue in the stock area but with further gear restrictions. The Council developed this measure to allow vessels to continue to target scallops with a gear that avoided flatfish at a greater rate than standard scallop dredge gear.

This final rule also allows full-time vessels to exchange their DMV trip for 5 additional DAS. Because the viability of the DMV area was unknown at the time of Framework 25's development, this action gives vessels the flexibility exchange their DMV trip for 5 DAS if catch rates in DMV are not profitable.

By allowing vessel to land unharvest CA1 pounds in a future FY, vessels that unexpectedly were unable to harvest pounds from CA1 in recent years, will be given the opportunity to offset any unharvested catch in a future FY when CA1 reopens.

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency will publish one or more guides to assist small entities in complying with the rule, and will designate such publications as ''small entity compliance guides.'' The agency will explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, a letter to permit holders that also serves as a small entity compliance guide (the guide) was prepared. Copies of this final rule are available from the Greater Atlantic Regional Fisheries Office, and the guide (i.e., permit holder letter) will be sent to all holders of permits for the scallop fishery. The guide and this final rule will be available upon request.

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

This action contains no new collection-of-information, reporting, or recordkeeping requirements. It does not duplicate, overlap, or conflict with any other Federal law.

This action contains no other compliance costs. It does not duplicate, overlap, or conflict with any other Federal law.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: June 11, 2014.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 648 is amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 2. In § 648.10, paragraph (f)(4)(i) is revised to read as follows:

§ 648.10 VMS and DAS requirements for vessel owners/operators.

* * * * *

(f) * * *

(4) * * * (i) The owner or operator of a limited access or LAGC IFQ vessel that fishes for, possesses, or retains scallops, and is not fishing under a NE Multispecies DAS or sector allocation, must submit reports through the VMS, in accordance with instructions to be provided by the Regional Administrator, for each day fished, including open area trips, access area trips as described in § 648.60(a)(9), and trips accompanied by a NMFS-approved observer. The reports must be submitted for each day (beginning at 0000 hr and ending at 2400 hr) and not later than 0900 hours of the following day. Such reports must include the following information:

(A) FVTR serial number;

(B) Date fish were caught;

(C) Total pounds of scallop meats kept;

(D) Total pounds of yellowtail flounder discarded; and

(E) Total pounds of all other fish kept.

* * * * *

■ 3. In § 648.14:

■ a. Revise paragraphs (i)(1)(iii)(A)(*3*) introductory text, (i)(2)(ii)(B)(*3*), (i)(2)(ii)(B)(*5*), (i)(2)(ii)(B)(*6*), and (i)(2)(ii)(B)(*9*);

■ b. Add paragraph (i)(2)(ix); and

■ c. Remove and reserve paragraph (i)(4)(iii)(D).

The additions and revisions read as follows:

§ 648.14 Prohibitions.

* * * * *

(i) * * *

(1) * * *

(iii) * * *

(A) * * *

(*3*) In excess of 600 lb (272.2 kg) of shucked scallops at any time, 75 bu (26.4 hL) of in-shell scallops per trip South of 42°20′ N. Lat. and shoreward of the VMS Demarcation Line or 100 bu (35.2 hL) in-shell scallops South of 42°20′ N. Lat. and seaward of the VMS Demarcation Line, unless:

* * * * *

(2) * * *

(ii) * * *

(B) * * *

(*3*) Fail to comply with the turtle deflector dredge vessel gear restrictions specified in § 648.51(b)(5), and turtle dredge chain mat requirements in § 223.206(d)(11) of this chapter.

* * * * *

(*5*) Fish under the small dredge program specified in § 648.51(e) with more than five persons on board the vessel, including the operator, unless otherwise authorized by the Regional Administrator or unless participating in the Area Access Program, with the exception of the Delmarva Access Area in from March 1, 2014 to February 28, 2015, pursuant to the requirements specified in § 648.60.

(*6*) Participate in the DAS allocation program with more persons on board the vessel than the number specified in § 648.51(c), including the operator, when the vessel is not docked or moored in port, unless otherwise authorized by the Regional Administrator, or unless participating in the Area Access Program, with the exception of the Delmarva Access Area in from March 1, 2014 to February 28, 2015, pursuant to the requirements specified in § 648.60.

* * * * *

(*9*) Fail to comply with the gear restrictions described in § 648.51.

* * * * *

(ix) Fish for scallops west of 71° W. long., outside of the Sea Scallop Access Areas, with gear that does not meet the specifications described in § 648.65 during the period specified in the notice announcing the windowpane flounder accountability measure gear restricted area described in § 648.65.

* * * * *

(4) * * *

(iii) * * *

(D) [Reserved]

* * * * *

■ 4a. In § 648.51, effective June 16, 2014, paragraph (b)(3)(iii) is removed, and paragraphs (b)(4)(iv) introductory text, (b)(4)(iv)(A), (b)(5)(ii)(A) introductory text, (b)(5)(ii)(C), (c) introductory text, (c)(1), (c)(2), and (e)(3)(i), are revised to read as follows:

§ 648.51 Gear and crew restrictions.

* * * * *

(b) * * *

(4) * * *

(iv) *Twine top restrictions.* In addition to the minimum twine top mesh size specified in paragraph (b)(2) of this section the following restrictions apply:

(A) Vessels issued limited access scallop permits that are fishing for scallops under the DAS Program are also subject to the following restrictions:

(*1*) If a vessel is rigged with more than one dredge, or if a vessel is rigged with only one dredge and such dredge is greater than 8 ft (2.4 m) in width, there must be at least seven rows of non-overlapping steel rings unobstructed by netting or any other material between the terminus of the dredge (club stick) and the net material on the top of the dredge (twine top).

(*2*) If a vessel is rigged with only one dredge, and such dredge is less than 8 ft (2.4 m) in width, there must be at least four rows of non-overlapping steel rings unobstructed by netting or any other material between the club stick and the twine top of the dredge. (A copy of a diagram showing a schematic of a legal dredge with twine top is available from the Regional Administrator upon request)

* * * * *

(5) * * *

(ii) * * * (A) From May 1 through October 31, any limited access scallop vessel using a dredge, regardless of dredge size or vessel permit category, or any LAGC IFQ scallop vessel fishing with a dredge with a width of 10.5 ft (3.2 m) or greater, that is fishing for scallops in waters west of 71° W. long., from the shoreline to the outer boundary of the EEZ, must use a TDD. The TDD requires five modifications to the rigid dredge frame, as specified in paragraphs (b)(5)(ii)(A)(*1*) through (b)(5)(ii)(A)(*5*) of this section. See paragraph (b)(5)(ii)(D) of this section for more specific descriptions of the dredge elements mentioned below.

* * * * *

(C) A vessels subject to the requirements in paragraph (b)(5)(ii) of this section transiting waters west of 71° W. long., from the shoreline to the outer boundary of the EEZ, is exempted from the requirement to only possess and use TDDs, provided the dredge gear is stowed in accordance with § 648.23(b) and not available for immediate use.

* * * * *

(c) *Crew restrictions.* A full-time limited access vessel participating in or subject to the scallop DAS allocation program and a full-time limited access vessel fishing in the Delmarva Access

Area from March 1, 2014, through February 28, 2015, may have no more than seven people aboard, including the operator, when not docked or moored in port, except as follows:

(1) There is no restriction on the number of people on board for vessels participating in the Sea Scallop Area Access Program as specified in § 648.60 other than the Delmarva Access Area.

(2) A vessel participating in the small dredge program is restricted as specified in paragraph (e) of this section;

* * * * *

(e) * * *

(3) * * *

(i) There is no restriction on the number of people on board for vessels participating in the Sea Scallop Area Access Program as specified in § 648.60 other than the Delmarva Access Area.

* * * * *

■ 4b. In § 648.51, effective July 16, 2014, paragraph (b)(4)(iv)(B) is revised to read as follows:

§ 648.51 Gear and crew restrictions.

* * * * *

(b) * * *

(4) * * *

(iv) * * *

(B) *Twine top restrictions in waters west of 71° W. long. as a proactive accountability measure.* In addition to the minimum twine top mesh size specified in paragraph (b)(2) of this section, limited access and limited access general category IFQ vessels fishing for scallops outside of the Scallop Access Areas specified in § 648.59, may not fish with a dredge having more than seven rows of non-overlapping steel rings unobstructed by netting or any other material between the terminus of the dredge (club stick) and the net material on the top of the dredge (twine top) (A copy of a diagram showing a schematic of a legal dredge with twine top is available from the Regional Administrator upon request).

* * * * *

■ 5. In § 648.53:

■ a. Revise paragraphs (a) introductory text, (a)(1), (a)(3), (a)(4)(i), and (a)(4)(ii);

■ b. Revise paragraphs (b)(1)(i) and (ii), and (b)(4) introductory text;

■ c. Add paragraph (b)(4)(i); and

■ d. Revise paragraphs (g)(1) introductory text, (h)(2)(v)(A), (h)(5)(i), (h)(5)(ii)(A), (h)(5)(iii), (h)(5)(iv) introductory text, (h)(5)(iv)(A), and (h)(5)(iv)(D).

The additions and revisions read as follows:

§ 648.53 Acceptable biological catch (ABC), annual catch limits (ACL), annual catch targets (ACT), DAS allocations, and individual fishing quotas (IFQ).

(a) *Scallop fishery ABC.* The ABC for the scallop fishery shall be established through the framework adjustment process specified in § 648.55 and is equal to the overall scallop fishery ACL. The ABC/ACL shall be divided as sub-ACLs between limited access vessels, limited access vessels that are fishing under a LAGC permit, and LAGC vessels as specified in paragraphs (a)(3) and (a)(4) of this section, after deducting the scallop incidental catch target TAC specified in paragraph (a)(2) of this section, observer set-aside specified in paragraph (g)(1) of this section, and research set-aside specified in § 648.56(d). The ABC/ACL for the 2015 fishing year is subject to change through a future framework adjustment.

(1) ABC/ACL for fishing years 2014 through 2015 shall be:

(i) 2014: 20,782 mt (45,816,475 lb).

(ii) 2015: 23,982 mt (52,871,269 lb).

* * * * *

(3) *Limited access fleet sub-ACL and ACT.* The limited access scallop fishery shall be allocated 94.5 percent of the ACL specified in paragraph (a)(1) of this section, after deducting incidental catch, observer set-aside, and research set-aside, as specified in this paragraph (a). ACT for the limited access scallop fishery shall be established through the framework adjustment process described in § 648.55. DAS specified in paragraph (b) of this section shall be based on the ACTs specified in paragraph (a)(3)(ii) of this section. The limited access fleet sub-ACL and ACT for the 2015 fishing year are subject to change through a future framework adjustment.

(i) The limited access fishery sub-ACLs for fishing years 2014 and 2015 are:

(A) 2014: 18,885 mt (41,634,305 lb).

(B) 2015: 21,879 mt (48,234,778 lb).

(ii) The limited access fishery ACTs for fishing years 2014 and 2015 are:

(A) 2014: 15,567 mt (34,319,360 lb).

(B) 2015: 16,540 mt (36,463,509 lb).

(4) * * *

(i) The ACLs for fishing years 2014 and 2015 for LAGC IFQ vessels without a limited access scallop permit are:

(A) 2014: 999.2 mt (2,202,859 lb).

(B) 2015: 1,158 mt (2,552,105 lb).

(ii) The ACLs for fishing years 2014 and 2015 for vessels issued both a LAGC and a limited access scallop permits are:

(A) 2014: 99.9 mt (220,286 lb).

(B) 2015: 116 mt (255,210 lb).

(b) * * *

(1) * * *

(i) 2014 fishing year: 2,581 lb/DAS (1,171 kg/DAS).

(ii) 2015 fishing year: 2,590 lb/DAS (1,175 kg/DAS).

* * * * *

(4) Each vessel qualifying for one of the three DAS categories specified in the table in this paragraph (b)(4) (full-time, part-time, or occasional) shall be allocated the maximum number of DAS for each fishing year it may participate in the open area limited access scallop fishery, according to its category, excluding carryover DAS in accordance with paragraph (d) of this section. DAS allocations shall be determined by distributing the portion of ACT specified in paragraph (a)(3)(ii) of this section, as reduced by access area allocations specified in § 648.59, and dividing that amount among vessels in the form of DAS calculated by applying estimates of open area LPUE specified in paragraph (b)(1) of this section. Allocation for part-time and occasional scallop vessels shall be 40 percent and 8.33 percent of the full-time DAS allocations, respectively. The annual open area DAS allocations for each category of vessel for the fishing years indicated are as follows:

SCALLOP OPEN AREA DAS ALLOCATIONS

Permit category	2014	2015
Full-Time	31	17
Part-Time	12	7
Occasional	3	1

(i) Additional DAS for Full-time limited access vessels that exchange a FY 2014 Delmarva Access Area trip. A vessel that exchanges a Delmarva Access Area trip for open area DAS, as specified in § 648.60(a)(3)(iii) shall be allocated 5 additional DAS in the 2014 fishing year.

* * * * *

(g) * * * (1) To help defray the cost of carrying an observer, 1 percent of the ABC/ACL specified in paragraph (a)(1) of this section shall be set aside to be used by vessels that are assigned to take an at-sea observer on a trip. The total TAC for observer set aside is 208 mt (458,562 lb) in fishing year 2014, and 240 mt (529,110lb) in fishing year 2015.

* * * * *

(h) * * *

(2) * * *

(v) * * * (A) With the exception of vessels that held a confirmation of permit history as described in § 648.4(a)(2)(ii)(L) for the entire fishing year preceding the carry-over year, LAGC IFQ vessels that have unused IFQ on the last day of February of any year may carry over up to 15 percent of the vessel's original IFQ plus the total of

IFQ transferred to such vessel minus the total IFQ transferred from such vessel (either temporary or permanent) IFQ into the next fishing year. For example, a vessel with a 10,000-lb (4,536-kg) IFQ and 5,000-lb (2,268-kg) of leased IFQ may carry over 2,250 lb (1,020 kg) of IFQ (i.e., 15 percent of 15,000 lb (6,804 kg)) into the next fishing year if it landed 12,750 lb (5,783 kg) (i.e., 85 percent of 15,000 lb (6,804 kg)) of scallops or less in the preceding fishing year. Using the same IFQ values from the example, if the vessel landed 14,000 lb (6,350 kg) of scallops, it could carry over 1,000 lb (454 kg) of scallops into the next fishing year.

* * * * *

(5) * * * (i) *Temporary IFQ transfers.* Subject to the restrictions in paragraph (h)(5)(iii) of this section, the owner of an IFQ scallop vessel (and/or IFQ scallop permit in confirmation of permit history) not issued a limited access scallop permit may temporarily transfer (e.g., lease) its entire IFQ allocation, or a portion of its IFQ allocation, to another IFQ scallop vessel. Temporary IFQ transfers shall be effective only for the fishing year in which the temporary transfer is requested and processed. For the remainder of the 2013 fishing year, IFQ, once temporarily transferred, cannot be temporarily transferred again to another vessel. Beginning on March 1, 2014, IFQ can be temporarily transferred more than once (i.e., re-transferred). For example, if a vessel temporarily transfers IFQ to a vessel, the transferee vessel may re-transfer any portion of that IFQ to another vessel. There is no limit on how many times IFQ can be re-transferred in a fishing year after March 1, 2014. The Regional Administrator has final approval authority for all temporary IFQ transfer requests.

(ii) * * * (A) Subject to the restrictions in paragraph (h)(5)(iii) of this section, the owner of an IFQ scallop vessel (and/or IFQ scallop permit in confirmation of permit history) not issued a limited access scallop permit may transfer IFQ permanently to or from another IFQ scallop vessel. Any such transfer cannot be limited in duration and is permanent as to the transferee, unless the IFQ is subsequently permanently transferred to another IFQ scallop vessel. For the remainder of the 2013 fishing year, IFQ permanently transferred to a vessel during the 2013 fishing year may then be temporarily transferred (i.e., leased) to another vessel(s) in any amount not to exceed the original permanent transfer. IFQ may be permanently transferred to a vessel and then be re-transferred (temporarily transferred (i.e., leased) or permanently transferred) by such vessel to another vessel in the same fishing year. There is no limit on how many times IFQ can be re-transferred in a fishing year after March 1, 2014.

* * * * *

(iii) *IFQ transfer restrictions.* The owner of an IFQ scallop vessel (and/or IFQ scallop permit in confirmation of permit history) not issued a limited access scallop permit may transfer that vessel's IFQ to another IFQ scallop vessel, regardless of whether or not the vessel has fished under its IFQ in the same fishing year. Requests for IFQ transfers cannot be less than 100 lb (46.4 kg), unless that the transfer reflects the total IFQ amount remaining on the transferor's vessel, or the entire IFQ allocation. IFQ may be temporarily or permanently transferred to a vessel and then temporarily re-transferred (i.e., leased) or permanently re-transferred by such vessel to another vessel in the same fishing year. There is no restriction on how many times IFQ can be re-transferred. A transfer of an IFQ may not result in the sum of the IFQs on the receiving vessel exceeding 2.5 percent of the ACL allocated to IFQ scallop vessels. A transfer of an IFQ, whether temporary or permanent, may not result in the transferee having a total ownership of, or interest in, general category scallop allocation that exceeds 5 percent of the ACL allocated to IFQ scallop vessels. Limited access scallop vessels that are also issued an IFQ scallop permit may not transfer to or receive IFQ from another IFQ scallop vessel.

(iv) *Application for an IFQ transfer.* The owners of vessels applying for a transfer of IFQ must submit a completed application form obtained from the Regional Administrator. The application must be signed by both parties (transferor and transferee) involved in the transfer of the IFQ, and must be submitted to the NMFS Northeast Regional Office at least 30 days before the date on which the applicants desire to have the IFQ effective on the receiving vessel. The Regional Administrator shall notify the applicants of any deficiency in the application pursuant to this section. Applications may be submitted at any time during the scallop fishing year, regardless of whether or not the vessel has fished under its IFQ in the same fishing year. Applications for temporary transfers received less than 45 days prior to the end of the fishing year may not be processed in time for a vessel to utilize the transferred IFQ, if approved, prior to the expiration of the fishing year.

(A) *Application information requirements.* An application to transfer IFQ must contain at least the following information: Transferor's name, vessel name, permit number, and official number or state registration number; transferee's name, vessel name, permit number, and official number or state registration number; total price paid for purchased IFQ; signatures of transferor and transferee; and date the form was completed. In addition, applications to transfer IFQ must indicate the amount, in pounds, of the IFQ allocation transfer. Information obtained from the transfer application will be held confidential, and will be used only in summarized form for management of the fishery. If the applicants are requesting a transfer of IFQ that has already been transferred in a given fishing year, both parties must be up-to-date with all data reporting requirements (e.g., all necessary VMS catch reports, VTR, and dealer data must be submitted) in order for the application to be processed.

* * * * *

(D) If an LAGC IFQ vessel transfers (i.e., temporary lease or permanent transfer) all of its allocation to other IFQ vessels prior to Framework 25's implementation (i.e., transfers more than what it is allocated for fishing year 2014 pursuant to the implantation of Framework 25), the vessel(s) to which the scallops were transferred (i.e., the transferee) shall receive a pound-for-pound deduction in fishing year 2014 equal to the difference between the amount of scallops transferred and the amount allocated to the transferring vessel for 2014 pursuant to Framework 25. The vessel that transferred the scallops shall not be assessed this deduction. For example, Vessel A is allocated 5,000 lb (2,268 kg) of scallops at the start of fishing year 2014, but would receive 3,500 lb (1,588 kg) of scallops once Framework 25 is implemented. If Vessel A transfers its full March 1, 2014, allocation of 5,000 lb (2,268 kg) to Vessel B prior to Framework 25's implementation, Vessel B would lose 1,500 lb (680 kg) of that transfer once Framework 25 is implemented. In situations where a vessel leases out its IFQ to multiple vessels, the deduction of the difference between the original amount of scallops allocated and the amount allocated pursuant to Framework 25 shall begin to apply only to the transfer(s) that exceed the original allocation. Using the example above, if Vessel A first leases 3,000 lb (1,361 kg) of scallops to Vessel B and then leases 2,000 lb (907 kg) of

scallops to Vessel C, only Vessel C would have to pay back IFQ in excess of Vessel A's ultimate fishing year 2014 allocation (i.e., Vessel C would have to give up 1,500 lb (680 kg) of that quota because Vessel A ultimately only had 500 lb (227 kg) of IFQ to lease out). If a vessel has already fished its leased-in quota in excess of the amount ultimately allocated pursuant to Framework 25, the vessel must either lease in more quota to make up for that overage during fishing year 2014, or the overage, along with any other overages incurred in fishing year 2014, shall be deducted from its fishing year 2015 IFQ allocation as part of the individual AM applied to the LAGC IFQ fleet, as specified in paragraph (h)(2)(vi) of this section.

■ 6. In § 648.55, paragraph (d) is revised to read as follows:

§ 648.55 Framework adjustments to management measures.

* * * * *

(d) *Yellowtail flounder and windowpane flounder sub-ACLs.* The Council shall specify the yellowtail flounder and windowpane flounder sub-ACLs allocated to the scallop fishery through the framework adjustment process specified in § 648.90.

* * * * *

■ 7. Section 648.57 is revised to read as follows:

§ 648.57 Sea scallop area rotation program.

An area rotation program is established for the scallop fishery, which may include areas closed to scallop fishing defined in § 648.58, and/or Sea Scallop Access Areas defined in § 648.59, subject to the Sea Scallop Area Access program requirements specified in § 648.60. Areas not defined as Rotational Closed Areas, Sea Scallop Access Areas, EFH Closed Areas, or areas closed to scallop fishing under other FMPs, are open to scallop fishing as governed by the other management measures and restrictions in this part. The Council's development of area rotation programs is subject to the framework adjustment process specified in § 648.55, including the Area Rotation Program factors included in § 648.55(a). The percentage of the total allowable catch for each Sea Scallop Access Area that is allocated to limited access scallop vessels and limited access general category scallop vessels shall be through the framework adjustment process specified in § 648.55.

■ 8. In § 648.58 paragraph (b) is revised to read as follows:

§ 648.58 Rotational Closed Areas.

* * * * *

(b) *Hudson Canyon Closed Area.* No vessel may fish for scallops in, or possess or land scallops from, the area known as the Hudson Canyon Closed Area. No vessel may possess scallops in the Hudson Canyon Closed Area, unless such vessel is only transiting the area as provided in paragraph (c) of this section. The Hudson Canyon Closed Area is defined by straight lines connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request):

Point	Latitude	Longitude
H1	39°30′ N.	73°10′ W.
H2	39°30′ N.	72°30′ W.
H3	38°30′ N.	73°30′ W.
H4	38°50′ N.	73°30′ W.
H5	38°50′ N.	73°42′ W.
H1	39°30′ N.	73°10′ W.

* * * * *

■ 9. In § 648.59, paragraphs (b), (c), (d), and (e) are revised to read as follows:

§ 648.59 Sea Scallop Access Areas.

* * * * *

(b) *Closed Area I Access Area*—(1) From March 1, 2014, through February 29, 2016 (i.e., fishing year 2014 and 2015), vessels issued scallop permits may not fish for, possess, or land scallops in or from, the area known as the Closed Area I Access Area, described in paragraph (b)(3) of this section, unless transiting pursuant to paragraph (f) of this section. Vessels issued both a NE Multispecies permit and an LAGC scallop permit may fish in an approved SAP under § 648.85 and under multispecies DAS in the scallop access area, provided they comply with restrictions in paragraph (b)(5)(ii)(C) of this section.

(2) [Reserved]

(3) The Closed Area I Access Area is defined by straight lines connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request), and so that the line connecting points CAIA3 and CAIA4 is the same as the portion of the western boundary line of Closed Area I, defined in § 648.81(a)(1), that lies between points CAIA3 and CAIA4:

Point	Latitude	Longitude	Note
CAIA1	41°26′ N.	68°30′ W.	
CAIA2	40°58′ N.	68°30′ W.	
CAIA3	40°54.95′ N.	68°53.37′ W.	(1)
CAIA4	41°04.32′ N.	69°01.27′ W.	(1)
CAIA1	41°26′ N.	68°30′ W.	

[1] From Point CAIA3 to Point CAIA4 along the western boundary of Closed Area I, defined in § 648.81(a)(1).

(4) [Reserved]

(c) *Closed Area II Access Area*—(1) From March 1, 2014, through February 28, 2015 (i.e., fishing year 2014), subject to the seasonal restrictions specified in paragraph (c)(4) of this section, a vessel issued a scallop permit may not fish for, possess, or land scallops in or from the area known as the Closed Area II Sea Scallop Access Area, described in paragraph (c)(3) of this section, unless the vessel is participating in, and complies with the requirements of, the area access program described in § 648.60.

(2) From March 1, 2015, through February 29, 2016 (i.e., fishing year 2015), unless fishing a 2014 fishing year compensation trip, as specified in § 648.60(c)(5)(v), a vessel issued scallop permit may not fish for, possess, or land scallops in or from, the area known as the Closed Area II Access Area, described in paragraph (c)(3) of this section, unless transiting pursuant to paragraph (f) of this section, a vessel issued both a NE Multispecies permit and an LAGC scallop permit may not fish in an approved SAP under § 648.85 and under multispecies DAS in the scallop access area, unless it complies with restrictions in paragraph (c)(5)(ii)(C) of this section.

(3) The Closed Area II Sea Scallop Access Area is defined by straight lines, except where noted, connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request):

Point	Latitude	Longitude	Note
CAIIA1	41°00′ N.	67°20′ W.	
CAIIA2	41°00′ N.	66°35.8′ W.	
CAIIA3	41°18.6′ N.	(1)	(2)
CAIIA4	41°30′ N.	(3)	(2)
CAIIA5	41°30′ N.	67°20′ W.	
CAIIA1	41°00′ N.	67°20′ W.	

1 The intersection of 41°18.6 N. lat. and the U.S.-Canada Maritime Boundary, approximately 41°18.6′ N. lat. and 66°25.01′ W. long.
2 From Point CAIIA3 connected to Point CAIIA4 along the U.S.-Canada Maritime Boundary.
3 The intersection of 41°30′ N. lat. and the U.S.-Canada Maritime Boundary, approximately 41°30′ N. lat., 66°34.73′ W. long.

(4) *Season.* A vessel issued a scallop permit may not fish for, possess, or land scallops in or from the area known as the Closed Area II Sea Scallop Access Area, described in paragraph (c)(3) of this section, during the period of August 15 through November 15 of each year the Closed Area II Access Area is open to scallop vessels, unless transiting pursuant to paragraph (f) of this section.

(d) *Nantucket Lightship Access Area*—(1) From March 1, 2014, through February 28, 2015 (i.e., fishing year 2014), a vessel issued a scallop permit may not fish for, possess, or land scallops in or from the area known as the Nantucket Lightship Sea Scallop Access Area, described in paragraph (d)(3) of this section, unless the vessel is participating in, and complies with the requirements of, the area access program described in § 648.60.

(2) From March 1, 2015, through February 29, 2016 (i.e., fishing year 2015), unless fishing a 2014 fishing year compensation trip, as specified in § 648.60(c)(5)(v), a vessel issued scallop permits may not fish for, possess, or land scallops in or from the area known as the Nantucket Lightship Access Area, described in paragraph (d)(3) of this section, unless transiting pursuant to paragraph (f) of this section. A vessel issued both a NE multispecies permit and an LAGC scallop permit may not fish in an approved SAP under § 648.85 and under multispecies DAS in the scallop access area, unless it complies with restrictions in paragraph (d)(5)(ii)(C) of this section.

(3) The Nantucket Lightship Sea Scallop Access Area is defined by straight lines connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request):

Point	Latitude	Longitude
NLAA1	40°50′ N.	69°30′ W.
NLAA2	40°50′ N.	69°00′ W.
NLAA3	40°20′ N.	69°00′ W.
NLAA4	40°20′ N.	69°30′ W.
NLAA1	40°50′ N.	69°30′ W.

(4) [Reserved]

(e) *Delmarva Sea Scallop Access Area.* (1) Beginning June 16, 2014 and until September 15, 2014, a vessel issued a scallop permit may not fish for, possess, or land scallops in or from the area known as the Delmarva Sea Scallop Access Area, described in paragraph (e)(3) of this section, unless the vessel is participating in, and complies with the requirements of, the area access program described in § 648.60.

(2) From March 1, 2015, through February 29, 2016 (i.e., fishing year 2015), unless fishing a 2014 fishing year compensation trip, as specified in § 648.60(c)(5)(v), a vessel issued scallop permits may not fish for, possess, or land scallops in or from the area known as the Hudson Canyon Access Area, described in paragraph (e)(3) of this section, unless transiting pursuant to paragraph (f) of this section.

(3) The Delmarva Sea Scallop Access Area is defined by straight lines connecting the following points in the order stated (copies of a chart depicting this area are available from the Regional Administrator upon request):

Point	Latitude	Longitude
DMV1	38°10′ N.	74°50′ W.
DMV2	38°10′ N.	74°00′ W.
DMV3	37°15′ N.	74°00′ W.
DMV4	37°15′ N.	74°50′ W.
DMV1	38°10′ N.	74°50′ W.

* * * * *

■ 10. In § 648.60:
■ a. Revise paragraphs (a) introductory text, (a)(3)(i), and (a)(5)(i);
■ b. Add paragraph (a)(3)(iii); and
■ c. Revise paragraphs (c)(5)(ii), (c)(5)(v), (e), and (g).

The additions and revisions read as follows:

§ 648.60 Sea scallop access area program requirements.

(a) A limited access scallop vessel may only fish in the Sea Scallop Access Areas specified in § 648.59, subject to the seasonal restrictions specified in § 648.59, provided the vessel complies with the requirements specified in paragraphs (a)(1) through (a)(9), and (b) through (f) of this section. An LAGC scallop vessel may fish in the Sea Scallop Access Areas specified in § 648.59, subject to the seasonal restrictions specified in § 648.59, provided the vessel complies with the requirements specified in paragraph (g) of this section.

* * * * *

(3) * * * (i) Limited access vessel trips. (A) Except as provided in paragraph (c) of this section, paragraphs (a)(3)(i)(B) through (E) of this section specify the total number of trips that a limited access scallop vessel may take into Sea Scallop Access Areas during applicable seasons specified in § 648.59. The number of trips per vessel in any one Sea Scallop Access Area may not exceed the maximum number of trips allocated for such Sea Scallop Access Area, unless the vessel owner has exchanged a trip with another vessel owner for an additional Sea Scallop Access Area trip, as specified in paragraph (a)(3)(ii) of this section, or has been allocated a compensation trip pursuant to paragraph (c) of this section. No access area trips are allocated for fishing year 2015.

(B) *Full-time scallop vessels.* In fishing year 2014, each full-time vessel shall have a total of two access area trips, including one trip in the Delmarva Access Area and one trip in either Closed Area II Access Area or the Nantucket Lightship Access Area. These allocations shall be determined by the Regional Administrator through a random assignment and shall be made publically available on the NMFS Northeast Region Web site prior to the start of the 2014 fishing year.

(C) *Part-time scallop vessels.* (*1*) For the 2014 fishing year, a part-time scallop may take one trip in the Closed Area II Access Area, or one trip in the Nantucket Lightship Access Area, or one trip in the Delmarva Access Area.

(*2*) For the 2015 fishing year, part-time scallop vessels shall not receive access area trip allocations.

(D) *Occasional scallop vessels.* For the 2014 fishing year, an occasional scallop vessel may take one trip in the Closed Area II Access Area, or one trip in the

Nantucket Lightship Access Area, or one trip in the Delmarva Access Area.

* * * * *

(iii) *Delmarva Access Area Trip Exchange for open area DAS.* From March 1, 2014, to February 28, 2015, (i.e., fishing year 2014) Full-Time Limited Access Scallop vessels may exchange a single Delmarva Access Area trip for 5 additional open area DAS, as specified in § 648.53(b)(4)(i). A vessel may not exchange more than one Delmarva Access Area trip for five DAS. For example, a vessel's initially issued 31 DAS and 2 Scallop Access Area trips, one in the Delmarva Access Area and one in the Nantucket Lightship Access Area, that exchanges its Nantucket Lightship Access Area trip for another Delmarva Access Area trip may only exchange one Delmarva Access Area trip for an additional five DAS.

* * * * *

(5) * * * (i) *Scallop possession limits.* Unless authorized by the Regional Administrator, as specified in paragraphs (c) and (d) of this section, after declaring a trip into a Sea Scallop Access Area, a vessel owner or operator of a limited access scallop vessel may fish for, possess, and land, per trip, scallops, up to the maximum amounts specified in the table in this paragraph (a)(5). No vessel declared into the Access Areas as described in § 648.59(a) through (e) may possess more than 50 bu (17.62 hL) of in-shell scallops outside of the Access Areas described in § 648.59(a) through (e).

Fishing year	Permit category possession limit		
	Full-time	Part-time	Occasional
2014	12,000 lb (5,443 kg)	9,600 lb (4,354 kg)	2,000 lb (907 kg).

* * * * *

(c) * * *

(5) * * *

(ii) If a vessel is authorized more than one additional compensation trip into any Sea Scallop Access Area as the result of more than one terminated trip in the same Access Area, the possession limits for the authorized trips may be combined, provided the total possession limit on a combined additional compensation trip does not exceed the possession limit for a trip as specified in paragraph (a)(5) of this section. For example, if the possession limit for a full-time vessel is 18,000 lb (8,165 kg) per trip, a full-time vessel that has two broken trips with corresponding additional compensation trip authorizations of 10,000 lb (4,536 kg) and 8,000 lb (3,629 kg) may combine the authorizations to allow one compensation trip with a possession limit of 18,000 lb (8,165 kg).

* * * * *

(v) *Additional compensation trip carryover.* Unless otherwise specified in § 648.59, if an Access Area trip conducted during the last 60 days of the open period or season for the Access Area is terminated before catching the allowed possession limit, and the requirements of paragraph (c) of this section are met, the vessel operator shall be authorized to fish an additional trip as compensation for the terminated trip in the following fishing year. The vessel owner/operator must take such additional compensation trips, complying with the trip notification procedures specified in paragraph (a)(2)(iii) of this section, within the first 60 days of that fishing year the Access Area first opens in the subsequent fishing year. For example, a vessel that terminates an Delmarva Access Area trip on December 29, 2011, must declare that it is beginning its additional compensation trip during the first 60 days that the Delmarva Access Area is open (March 1, 2012, through April 29, 2012). If an Access Area is not open in the subsequent fishing year, then the additional compensation trip authorization would expire at the end of the Access Area Season in which the trip was broken. For example, a vessel that terminates a Closed Area I trip on December 10, 2012, may not carry its additional compensation trip into the 2013 fishing year because Closed Area I is not open during the 2013 fishing year, and must complete any compensation trip by January 31, 2013.

* * * * *

(e) *Sea Scallop Research Set-Aside Harvest in Access Areas*—(1) *Access Areas available for harvest of research set-aside (RSA).* Unless otherwise specified, RSA may be harvested in any access area that is open in a given fishing year, as specified through a framework adjustment and pursuant to § 648.56. The amount of pounds that can be harvested in each access area by vessels participating in approved RSA projects shall be determined through the RSA application review and approval process. The access areas open for RSA harvest for fishing years 2014 and 2015 are:

(i) 2014: Closed Area II Access Area

(ii) 2015: None.

(2) [Reserved]

* * * * *

(g) *Limited Access General Category Vessels.* (1) An LAGC scallop vessel may only fish in the scallop access areas specified in § 648.59(a) through (e), subject to the seasonal restrictions specified in § 648.59(b)(4), (c)(4), and (d)(4), and subject to the possession limit specified in § 648.52(a), and provided the vessel complies with the requirements specified in paragraphs (a)(1), (a)(2), (a)(6) through (9), (d), (e), (f), and (g) of this section. A vessel issued both a NE multispecies permit and an LAGC scallop permit may fish in an approved SAP under § 648.85 and under multispecies DAS in the Closed Area I, Closed Area II, and Nantucket Lightship Sea Scallop Access Areas specified in § 648.59(b) through (d), provided the vessel complies with the requirements specified in § 648.59(b)(5)(ii), (c)(5)(ii), and (d)(5)(ii), and this paragraph (g), but may not fish for, possess, or land scallops on such trips.

(2) *Limited Access General Category Gear restrictions.* An LAGC IFQ scallop vessel authorized to fish in the Access Areas specified in § 648.59(a) through (e) must fish with dredge gear only. The combined dredge width in use by, or in possession on board of, an LAGC scallop vessel fishing in Closed Area I, Closed Area II, and Nantucket Lightship Access Areas may not exceed 10.5 ft (3.2 m). The combined dredge width in use by, or in possession on board of, an LAGC scallop vessel fishing in the remaining Access Areas described in § 648.59 may not exceed 31 ft (9.4 m). Dredge width is measured at the widest point in the bail of the dredge.

(3) *LAGC IFQ Access Area Trips.*—(i) An LAGC scallop vessel authorized to fish in the Access Areas specified in § 648.59(a) through (e) may land scallops, subject to the possession limit specified in § 648.52(a), unless the Regional Administrator has issued a notice that the number of LAGC IFQ access area trips have been or are projected to be taken. The total number of LAGC IFQ trips in a specified Access Area for fishing year 2014 and 2015 are:

Access area	2014	2015
Hudson Canyon	0	0

Access area	2014	2015
Delmarva	516	0
Elephant Trunk	0	0
Closed Area 1	0	0
Closed Area 2	0	0
Nanatucket Lightship	241	0

(ii) Scallops landed by each LAGC IFQ vessel on an access area trip shall count against the vessel's IFQ.

(iii) Upon a determination from the Regional Administrator that the total number of LAGC IFQ trips in a specified Access Area have been or are projected to be taken, the Regional Administrator shall publish notification of this determination in the **Federal Register**, in accordance with the Administrative Procedure Act. Once this determination has been made, an LAGC IFQ scallop vessel may not fish for, possess, or land scallops in or from the specified Access Area after the effective date of the notification published in the **Federal Register**.

(4) *Possession Limits*—(i) Scallops. A vessel issued a NE multispecies permit and a general category scallop permit that is fishing in an approved SAP under § 648.85 under multispecies DAS, and that has not enrolled in the LAGC Access Area fishery, is prohibited from possessing scallops. An LAGC scallop vessel authorized to fish in the Access Areas specified in § 648.59(a) through (e) may possess scallops up to the possession limit specified in § 648.52(a).

(ii) *Other species.* Unless issued an LAGC scallop permit and fishing under an approved NE multispecies SAP under NE multispecies DAS, an LAGC IFQ vessel fishing in the Access Areas specified in § 648.59(b) through (d) is prohibited from possessing any species of fish other than scallops and monkfish, as specified in § 648.94(c)(8)(i).

■ 11. Section 648.61 is revised to read as follows:

§ 648.61 EFH closed areas.

(a) No vessel fishing for scallops, or person on a vessel fishing for scallops, may enter, fish in, or be in the EFH Closure Areas described in paragraphs (a)(1) through (6) of this section, unless otherwise specified. A chart depicting these areas is available from the Regional Administrator upon request.

(1) *Western GOM Habitat Closure Area.* The restrictions specified in this paragraph (a) apply to the Western GOM Habitat Closure Area, which is the area bounded by straight lines connecting the following points in the order stated:

WESTERN GOM HABITAT CLOSURE AREA

Point	Latitude	Longitude
WGM1	43°15′ N.	70°15′ W.
WGM2	42°15′ N.	70°15′ W.
WGM3	42°15′ N.	70°00′ W.
WGM4	43°15′ N.	70°00′ W.
WGM1	43°15′ N.	70°15′ W.

(2) *Cashes Ledge Habitat Closure Area.* The restrictions specified in paragraph (a) of this section apply to the Cashes Ledge Habitat Closure Area, which is the area bounded by straight lines connecting the following points in the order stated:

CASHES LEDGE HABITAT CLOSURE AREA

Point	Latitude	Longitude
CLH1	43°01′ N.	69°03′ W.
CLH2	43°01′ N.	68°52′ W.
CLH3	42°45′ N.	68°52′ W.
CLH4	42°45′ N.	69°03′ W.
CLH1	43°01′ N.	69°03′ W.

(3) *Jeffrey's Bank Habitat Closure Area.* The restrictions specified in paragraph (a) of this section apply to the Jeffrey's Bank Habitat Closure Area, which is the area bounded by straight lines connecting the following points in the order stated:

JEFFREY'S BANK HABITAT CLOSURE AREA

Point	Latitude	Longitude
JB1	43°40′ N.	68°50′ W.
JB2	43°40′ N.	68°40′ W.
JB3	43°20′ N.	68°40′ W.
JB4	43°20′ N.	68°50′ W.
JB1	43°40′ N.	68°50′ W.

(4) *Closed Area I Habitat Closure Areas.* The restrictions specified in paragraph (a) of this section apply to the Closed Area I Habitat Closure Areas, Closed Area I-North and Closed Area I-South, which are the areas bounded by straight lines connecting the following points in the order stated, and so that the line connecting points CI1 CIH2 and CI1CIH1, and CI2 and CIH3 is the same as the portion of the western boundary line of Closed Area I, defined in paragraph (a)(1) of this section, that lies between those points:

CLOSED AREA I—NORTH HABITAT CLOSURE AREA

Point	Latitude	Longitude	Note
CI1	41°30′ N.	69°23′ W.	
CI4	41°30′ N.	68°30′ W.	
CIH1	41°26′ N.	68°30′ W.	
CIH2	41°04.32′ N.	69°01.27′ W.	(1)
CI1	41°30′ N.	69°23′ W.	(1)

[1] From Point CI2 back to Point CIH3 along the western boundary of Closed Area I, defined in § 648.81(a)(1).

CLOSED AREA I—SOUTH HABITAT CLOSURE AREA

Point	Latitude	Longitude	Notes
CIH3	40°54.95′ N.	68°53.37′ W.	
CIH4	40°58′ N.	68°30′ W.	
CI3	40°45′ N.	68°30′ W.	
CI2	40°45′ N.	68°45′ W.	(1)
CIH3	40°54.95′ N.	68°53.37′ W.	(1)

[1] From Point CI2 back to Point CIH3 along the western boundary of Closed Area I, defined in § 648.81(a)(1).

(5) *Closed Area II Habitat Closure Area.* The restrictions specified in this paragraph (a) apply to the Closed Area II Habitat Closure Area (also referred to as the Habitat Area of Particular Concern), which is the area bounded by

straight lines, except where noted, connecting the following points in the order stated:

CLOSED AREA II HABITAT CLOSURE AREA

Point	Latitude	Longitude	Note
CIIH1	42°10′ N.	67°20′ W.	
CIIH2	42°10′ N.	(1)	(2)
CIIH3	42°00′ N.	(3)	(2)
CIIH4	42°00′ N.	67°10′ W.	
CIIH5	41°50′ N.	67°10′ W.	
CIIH6	41°50′ N.	67°20′ W.	
CIIH1	42°10′ N.	67°20′ W.	

1 The intersection of 42°10′ N. lat. and the U.S.-Canada Maritime Boundary, approximately 42°10′ N. lat. and 67°9.38′ W. long.
2 From Point CIIH2 connected to Point CIIH3 along the U.S.-Canada Maritime Boundary.
3 The intersection of 42°00′ N. lat. and the U.S.-Canada Maritime Boundary, approximately 42°00′ N. lat. and 67°0.63′ W. long.

(6) *Nantucket Lightship Habitat Closure Area.* The restrictions specified in this paragraph (a) apply to the Nantucket Lightship Habitat Closure Area, which is the area bounded by straight lines connecting the following points in the order stated:

NANTUCKET LIGHTSHIP HABITAT CLOSED AREA

Point	Latitude	Longitude
NLH1	41°10′ N.	70°00′ W.
NLH2	41°10′ N.	69°50′ W.
NLH3	40°50′ N.	69°30′ W.
NLH4	40°20′ N.	69°30′ W.
NLH5	40°20′ N.	70°00′ W.
NLH1	41°10′ N.	70°00′ W.

(b) *Transiting.* A vessel may transit the EFH Closure Areas as defined in paragraphs (a)(1) through (6) of this section, unless otherwise restricted, provided that its gear is stowed in accordance with the provisions of § 648.23(b). A vessel may transit the CAII EFH closed area, as defined in paragraph (a)(5) of this section, provided there is a compelling safety reason to enter the area and all gear is stowed in accordance with the provisions of § 648.23(b).

■ 12. In § 648.64, paragraphs (a), (b)(1), (c)(1)(i), (c)(2)(ii), (c)(2)(iii), and (c)(2)(iv) are revised to read as follows:

§ 648.64 Yellowtail flounder sub-ACLs and AMs for the scallop fishery.

(a) As specified in § 648.55(d), and pursuant to the biennial framework adjustment process specified in § 648.90, the scallop fishery shall be allocated a sub-ACL for the Georges Bank and Southern New England/Mid-Atlantic stocks of yellowtail flounder. The sub-ACLs for the 2014 fishing year are specified in § 648.90(a)(4)(iii)(C) of the NE multispecies regulations.

(b) * * * (1) Unless otherwise specified in § 648.90(a)(5)(iv) of the NE multispecies regulations, if the Georges Bank yellowtail flounder sub-ACL for the scallop fishery is exceeded, the area defined by the following coordinates, bounded in the order stated by straight lines except where noted, shall be closed to scallop fishing by vessels issued a limited access scallop permit for the period of time specified in paragraph (b)(2) of this section:

GEORGES BANK YELLOWTAIL ACCOUNTABILITY MEASURE CLOSURE

Point	Latitude	Longitude	Note
GBYT AM 1	41°50′ N.	(1)	(2)
GBYT AM 2	40°30′ N.	(3)	(2)
GBYT AM 3	40°30′ N.	66°40′ W.	
GBYT AM 4	40°40′ N.	66°40′ W.	
GBYT AM 5	40°40′ N.	66°50′ W.	
GBYT AM 6	40°50′ N.	66°50′ W.	
GBYT AM 7	40°50′ N.	67°00′ W.	
GBYT AM 8	41°00′ N.	67°00′ W.	
GBYT AM 9	41°00′ N.	67°20′ W.	
GBYT AM 10	41°10′ N.	67°20′ W.	
GBYT AM 11	41°10′ N.	67°40′ W.	
GBYT AM 12	41°50′ N.	67°40′ W.	
GBYT AM 1	41°50′ N.	(1)	

1 The intersection of 41°50′ N. lat. and the U.S.-Canada Maritime Boundary, approximately 41°50′ N. lat., 66°51.94′ W. long.
2 From Point GBYT AM 1 connected to Point GBYT AM 2 along the U.S.-Canada Maritime Boundary.
3 The intersection of 40°30′ N. lat. and the U.S.-Canada Maritime Boundary, approximately 40°30′ N. lat. and 65°44.34′ W. long.

* * * * *

(c) * * * (1) * * * (i) Unless otherwise specified in § 648.90(a)(5)(iv) of the NE multispecies regulations, if the Southern New England/Mid-Atlantic yellowtail flounder sub-ACL for the scallop fishery is exceeded, the following area shall be closed to scallop fishing by vessels issued a limited access scallop permit for the period of time specified in paragraph (c)(1)(ii) of this section. The Southern New England Yellowtail Accountability Measure Closure Area for Limited Access Scallop Vessels is comprised of Northeast Region Statistical Areas #537, #539 and #613, and is defined by the following coordinates, connected in the order listed by straight lines, unless otherwise noted:

Point	Latitude	Longitude	Note
LA SNEYT AM A	(1)	73°00′ W.	
LA SNEYT AM B	40°00′ N.	73°00′ W.	
LA SNEYT AM C	40°00′ N.	71°40′ W.	
LA SNEYT AM D	39°50′ N.	71°40′ W.	
LA SNEYT AM E	39°50′ N.	70°00′ W.	
LA SNEYT AM F	(2)	70°00′ W.	(3)
LA SNEYT AM G	41°16.76′ N.	70°13.47′ W.	(3) (4)
LA SNEYT AM H	41°18.01′ N.	70°15.47′ W.	(5)
LA SNEYT AM I	41°20.26′ N.	70°18.30′ W.	(6)
LA SNEYT AM J	41°21.09′ N.	70°27.03′ W.	(7) (8)
LA SNEYT AM K	41°20′ N.	(9)	(8)
LA SNEYT AM L	41°20′ N.	71°10′ W.	
LA SNEYT AM M	(10)	71°10′ W.	(11)
LA SNEYT AM N	(12)	71°40′ W.	(11)
LA SNEYT AM O	41°00′ N.	71°40′ W.	
LA SNEYT AM P	41°00′ N.	(13)	(14)
LA SNEYT AM A	(1)	73°00′ W.	(14)

[1] The south facing mainland coastline of Long Island.
[2] The southern coastline of Nantucket.
[3] From Point F to Point G along the southern coastline of Nantucket.
[4] Point G represents Esther Island, Nantucket, Massachusetts.
[5] Point H represents Tuckernuck Island, Nantucket, Massachusetts.
[6] Point I represents Muskeget Island, Nantucket, Massachusetts.
[7] Point J represents Wasque Point, Chappaquiddick Island, Massachusetts.
[8] From Point J to Point K along the southern coastline of Martha's Vineyard.
[9] The western coastline of Martha's Vineyard.
[10] The southern coastline of Rhode Island.
[11] From Point M to Point N following the mainland coastline of Rhode Island.
[12] The southern coastline of Rhode Island.
[13] Southeast facing coastline of Long Island.
[14] From Point P back to Point A along the southern mainland coastline of Long Island.

* * * * *

(2) * * *

(ii) Closure Area 1 is comprised of Northeast Region Statistical Area #537, and is defined by the following coordinates, connected in the order listed by straight lines, unless otherwise noted:

Point	Latitude	Longitude	Note
LAGC Dredge SNEYT AM1 A	41°20′ N.	(1)	
LAGC Dredge SNEYT AM1 B	41°20′ N.	71°10′ W.	
LAGC Dredge SNEYT AM1 C	41°10′ N.	71°10′ W.	
LAGC Dredge SNEYT AM1 D	41°10′ N.	71°20′ W.	
LAGC Dredge SNEYT AM1 E	40°50′ N.	71°20′ W.	
LAGC Dredge SNEYT AM1 F	40°50′ N.	71°40′ W.	
LAGC Dredge SNEYT AM1 G	39°50′ N.	71°40′ W.	
LAGC Dredge SNEYT AM1 H	39°50′ N.	70°00′ W.	
LAGC Dredge SNEYT AM1 I	(2)	70°00′ W.	(3)
LAGC Dredge SNEYT AM1 J	41°16.76′ N.	70°13.47′ W.	(3) (4)
LAGC Dredge SNEYT AM1 K	41°18.01′ N.	70°15.47′ W.	(5)
LAGC Dredge SNEYT AM1 L	41°20.26′ N.	70°18.30′ W.	(6)
LAGC Dredge SNEYT AM1 M	41°21.09′ N. (8)	70°27.03′ W.	(7) (8)
LAGC Dredge SNEYT AM1 A	41°20′ N.	(1)	(8)

[1] The western coastline of Martha's Vineyard.
[2] The southern coastline of Nantucket.
[3] From Point I to Point J along the southern coastline of Nantucket.
[4] Point J represents Esther Island, Nantucket, Massachusetts.
[5] Point K represents Tuckernuck Island, Nantucket, Massachusetts.
[6] Point L represents Muskeget Island, Nantucket, Massachusetts.
[7] Point M represents Wasque Point, Chappaquiddick Island, Massachusetts.
[8] From Point M back to Point A along the southern coastline of Martha's Vineyard.

(iii) Closure Area 2 is comprised of Northeast Region Statistical Area #613, and is defined by the following coordinates, connected in the order listed by straight lines, unless otherwise noted:

Point	Latitude	Longitude	Note
LAGC Dredge SNEYT AM2 A	(1)	73°00′ W.	
LAGC Dredge SNEYT AM2 B	40°00′ N.	73°00′ W.	
LAGC Dredge SNEYT AM2 C	40°00′ N.	71°40′ W.	
LAGC Dredge SNEYT AM2 D	41°00′ N.	71°40′ W.	
LAGC Dredge SNEYT AM2 E	41°00′ N.	(2)	(3)

Point	Latitude	Longitude	Note
LAGC Dredge SNEYT AM2 A	(1)	73°00′ W.	(3)

[1] The south facing mainland coastline of Long Island.
[2] Southeast facing coastline of Long Island.
[3] From Point E back to Point A along the southern mainland coastline of Long Island.

(iv) Closure Area 3 is comprised of Northeast Region Statistical Area #539, and is defined by the following coordinates, connected in the order listed by straight lines, unless otherwise noted:

Point	Latitude	Longitude	Note
LAGC Dredge SNEYT AM3 A	(1)	71°40′ W.	
LAGC Dredge SNEYT AM3 B	40°50′ N.	71°40′ W.	
LAGC Dredge SNEYT AM3 C	40°50′ N.	71°20′ W.	
LAGC Dredge SNEYT AM3 D	41°10′ N.	71°20′ W.	
LAGC Dredge SNEYT AM3 E	41°10′ N.	71°10′ W.	
LAGC Dredge SNEYT AM3 F	(1)	71°10′ W.	(2)
LAGC Dredge SNEYT AM3 A	(1)	71°40′ W.	(2)

[1] The southern coastline of Rhode Island.
[2] From Point F back to Point A following the southern mainland coastline of Rhode Island.

* * * * *

■ 13. Section 648.65 is added to subpart D to read as follows:

§ 648.65 Windowpane flounder sub-ACL and AM for the scallop fishery.

(a) As specified in § 648.55(d), and pursuant to the biennial framework adjustment process specified in § 648.90, the scallop fishery shall be allocated a sub-ACL for SNE/MA stock of windowpane flounder. The sub-ACLs for the 2014 fishing year are specified in § 648.90(a)(4)(iii)(E) of the NE multispecies regulations.

(b) *Accountability measure.* (1) Unless otherwise specified in § 648.90(a)(5)(iv) of the NE multispecies regulations, if the SNE/MA windowpane flounder sub-ACL for the scallop fishery is exceeded and an accountability measure is triggered as described in § 648.90(a)(5)(iv), the area west of 71° W. long., shall be considered the SNE/MA windowpane flounder gear restricted area. Scallop vessels participating in the DAS, or LAGC IFQ scallop fishery for the period of time specified in paragraph (b)(2) of this section must comply with the gear restrictions specified in paragraph (b)(3) of this section when fishing in open areas. This accountability measure does not apply to scallop vessels fishing in Sea Scallop Access Areas.

(2) *Duration of gear restricted area.* The SNE/MA windowpane flounder accountability measure gear restricted area shall remain in effect for the period of time based on the corresponding percent overage of the SNE/MA windowpane flounder sub-ACL, as follows:

Percent overage of sub-ACL	Length of closure
20 or less	February.
Greater than 20	March and February.

(3) *Gear restriction.* When subject to the SNE/MA windowpane flounder accountability measure gear restricted area as described in paragraphs (b) and (b)(2) of this section, a vessel must fish with scallop dredge gear that conforms to the following restrictions:

(i) No more than 5 rows of rings shall be used in the apron of the dredge. The apron is on the top side of the dredge, extends the full width of the dredge, and is the rows of dredge rings that extend from the back edge of the twine top (i.e., farthest from the dredge frame) to the clubstick; and

(ii) The maximum hanging ratio for a net, net material, or any other material on the top of a scallop dredge (twine top) possessed or used by vessels fishing with scallop dredge gear does not exceed 1.5:1 overall. An overall hanging ratio of 1.5:1 means that the twine top is attached to the rings in a pattern of alternating 2 meshes per ring and 1 mesh per ring (counted at the bottom where the twine top connects to the apron), for an overall average of 1.5 meshes per ring for the entire width of the twine top. For example, an apron that is 40 rings wide (not including any ring in the side pieces) would only be able to use a twine top with 60 or fewer meshes so that the overall ratio of meshes to rings did not exceed 1.5 (60 meshes/40 rings = 1.5).

(iii) Vessels may not fish for scallops with trawl gear west of 71° W. Long when the gear restricted area accountability measure is in effect.

(c) *Process for implementing the AM*—(1) If reliable information is available to make a mid-year determination: On or about January 15 of each year, based upon catch and other information available to NMFS, the Regional Administrator shall determine whether the SNE/MA windowpane flounder sub-ACL was exceeded, or is projected to be exceeded, and if an accountability measure was triggered as described in § 648.90(a)(5)(iv), by scallop vessels prior to the end of the scallop fishing year ending on February 28/29. The determination shall include the amount of the overage or projected amount of the overage, specified as a percentage of the overall sub-ACL for the SNE/MA windowpane flounder stock, in accordance with the values specified in paragraph (a) of this section. Based on this initial determination in mid-January, the Regional Administrator shall implement the AM in the following fishing year in accordance with the APA and attempt to notify owners of limited access and LAGC scallop vessels by letter identifying the length of the gear restricted area and a summary of the SNE/MA windowpane flounder catch, overage, and projection that resulted in the gear restricted area.

(2) If reliable information is not available to make a mid-year determination: Once NMFS has compiled the necessary information (e.g., when the previous fishing year's observer and catch data are fully available), the Regional Administrator shall determine whether the SNE/MA windowpane flounder sub-ACL was exceeded and if an accountability measure was triggered as described in § 648.90(a)(5)(iv), by scallop vessels

following the end of the scallop fishing year ending on February 28/29. The determination shall include the amount of the overage, specified as a percentage of the overall sub-ACL for the SNE/MA windowpane flounder stock, in accordance with the values specified in paragraph (a) of this section. Based on this information, the Regional Administrator shall implement the AM in accordance with the APA in Year 3 (e.g., an accountability measure would be implemented in fishing year 2016 for an overage that occurred in fishing year 2014) and attempt to notify owners of limited access and LAGC scallop vessels by letter identifying the length of the gear restricted area and a summary of the SNE/MA windowpane flounder catch and overage information.

[FR Doc. 2014–14005 Filed 6–12–14; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 140107014–4014–01]

RIN 0648–XD329

Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions #4, #5, #6, #7, #8, and #9

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

ACTION: Modification of fishing seasons; request for comments.

SUMMARY: NOAA Fisheries announces six inseason actions in the ocean salmon fisheries. These inseason actions modified the commercial salmon fisheries in the area from the U.S./Canada border to U.S./Mexico border.

DATES: The effective dates for the inseason actions are set out in this document under the heading Inseason Actions. Comments will be accepted through July 1, 2014.

ADDRESSES: You may submit comments, identified by NOAA–NMFS–2014–0005, by any one 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-2014-0005,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* William W. Stelle, Jr., Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115–6349.
- *Fax:* 206–526–6736, Attn: Peggy Mundy.

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: Peggy Mundy at 206–526–4323.

SUPPLEMENTARY INFORMATION:

Background

In the 2014 annual management measures for ocean salmon fisheries (79 FR 24580, May 1, 2014), NMFS announced the commercial and recreational fisheries in the area from the U.S./Canada border to the U.S./Mexico border, beginning May 1, 2014, and 2015 salmon seasons opening earlier than May 1, 2015. NMFS is authorized to implement inseason management actions to modify fishing seasons and quotas as necessary to provide fishing opportunity while meeting management objectives for the affected species (50 CFR 660.409). Inseason actions in the salmon fishery may be taken directly by NMFS (50 CFR 660.409(a)—Fixed inseason management provisions) or upon consultation with the Pacific Fishery Management Council (Council) and the appropriate State Directors (50 CFR 660.409(b)—Flexible inseason management provisions).

Management of the salmon fisheries is generally divided into two geographic areas: North of Cape Falcon (U.S./Canada border to Cape Falcon, Oregon) and south of Cape Falcon (Cape Falcon, Oregon to the U.S./Mexico border). The inseason actions reported in this document affect fisheries north and south of Cape Falcon. All times mentioned refer to Pacific daylight time.

Inseason Actions

Inseason Action #4

Inseason action #4 delayed the retention of halibut caught incidental to commercial salmon fisheries, pending implementation of the Catch Sharing Plan (CSP) for 2014. This action affected commercial salmon fisheries south of Cape Falcon that were open on April 1, 2014. Incidental halibut retention was scheduled to begin at 12:01 a.m., April 1, 2014; inseason action #4 delayed incidental halibut retention until 12:50 p.m., April 1, 2014.

The Regional Administrator (RA) notified representatives of the Council, Oregon Department of Fish and Wildlife (ODFW), and California Department of Fish and Wildlife (CDFW) on Friday, March 28, 2014 that the final rule implementing the 2014 CSP had not filed with the Office of the Federal Register (OFR) and that there was a strong possibility that the rule would not be in effect when commercial salmon fisheries opened at 12:01 a.m., Tuesday, April 1, 2014. The rule implementing the CSP sets the annual allocation for retention of Pacific halibut caught incidental to the commercial salmon fishery; until the rule is in effect, there is no incidental halibut allocation. The RA prefers, whenever possible, to notify the salmon fishery 24 hours in advance of any inseason action; therefore, due to the impending weekend, it was necessary to notify the fleet that halibut retention would not be allowed until the halibut rule was in effect. On the afternoon of Tuesday, April 1, 2014, the RA was notified that the rule was scheduled to file with the OFR and would have an effective date of April 1, 2014 (79 FR 18827, April 4, 2014). At 12:50 p.m. the NMFS hotline was updated to announce that halibut retention incidental to commercial salmon fisheries was in effect and a notice to mariners was sent to the USCG for broadcast. Inseason action #4 took effect at 12:01 a.m. on April 1, 2014 and remained in effect until 12:50 p.m., April 1, 2014. Inseason action to modify quotas and/or fishing seasons is authorized by 50 CFR 660.409(b)(1)(i).

Inseason Action #5

Inseason action #5 closed the commercial salmon fishery from the U.S./Canada border to Queets River for 24 hours beginning at 12:01 a.m., Friday, May 9, and established a schedule for reopening the fishery with limited open periods and landing and possession limits. All vessels fishing in the area, or in possession of any salmon caught in the area north of the Queets River were required to land and deliver

their fish within 24 hours of the May 9 closure. The commercial salmon fishery from the U.S./Canada border to Queets River reopened at 12:01 a.m., Saturday, May 10 through Tuesday, May 13, with an open period landing and possession limit of 50 Chinook salmon. Thereafter, the fishery opened Friday through Tuesday with a landing and possession limit of 50 Chinook salmon per vessel, per open period. Vessels in possession of salmon north of the Queets River may not cross the Queets River line without first notifying WDFW at 360–902–2739 with area fished, total Chinook and halibut catch aboard, and destination. Vessels in possession of salmon south of the Queets River may not cross the Queets River line without first notifying WDFW at 360–902–2739 with area fished, total Chinook and halibut catch aboard, and destination. Vessels may not possess or land more than 50 Chinook salmon north of the Queets River.

The RA consulted with representatives of the Council, WDFW, and ODFW on Wednesday, May 7, 2014. The information considered during this consultation related to catch-to-date and fishery effort in the commercial salmon fishery north of Cape Falcon. Under the 2014 ocean salmon management measures (79 FR 24580, May 1, 2014), when it is projected that the commercial salmon fishery has landed 9,150 Chinook salmon in the area north of Queets River, inseason action is to be taken to modify the open period to five days per week and add landing and possession limits to ensure the harvest guideline is not exceeded. During the consultation, the states projected that the Chinook landings north of Queets River could meet or exceed the 9,150 intermediate landing criterion during the upcoming weekend, and recommended a 24-hour closure of the fishery to allow for landing fish currently on boats at sea, and reopening the fishery with open period and landing limits to avoid exceeding the harvest guideline in the area north of Queets River. The RA concurred with the state's recommendation. Inseason action #5 took effect on May 9, 2014, and remained in effect until superseded by inseason action #7 on May 23, 2014. Inseason action to modify quotas and/or fishing seasons is authorized by 50 CFR 660.409(b)(1)(i).

Inseason Action #6

Inseason action #6 closed the commercial salmon fishery from the U.S. Canada border to Cape Falcon at 11:59 p.m., Tuesday, May 20, 2014, and required all vessels fishing in the area to land their catch within 24 hours of the closure.

The RA consulted with representatives of the Council, WDFW, and ODFW on Tuesday, May 20, 2014. The information considered during this consultation related to catch-to-date and fishery effort in the commercial salmon fishery north of Cape Falcon. Under the 2014 ocean salmon management measures (79 FR 24580, May 1, 2014), when it is projected that the commercial salmon fishery has landed 28,425 Chinook north of Cape Falcon, inseason action would be considered to modify the open period to five days per week and add landing and possession limits to ensure the guideline is not exceeded. During the consultation, the states recommended a closure to allow vessels to land their catch and a follow-up consultation on May 22, 2014 to discuss re-opening the fishery with open period and landing limits. The RA concurred with the states' recommendation. Inseason action #6 took effect on May 20, 2014, and remained in effect until superseded by inseason action #7 on May 23, 2014. Inseason action to modify quotas and/or fishing seasons is authorized by 50 CFR 660.409(b)(1)(i).

Inseason Action #7

Inseason action #7 re-opened the commercial salmon fishery north of Cape Falcon, Friday through Tuesday, beginning May 23, 2014, with a landing and possession limit of 40 Chinook salmon per vessel per open period in the area from the U.S./Canada border to the Queets River and 60 Chinook salmon per vessel per open period in the area from the Queets River to Cape Falcon, Oregon.

The RA consulted with representatives of the Council, WDFW, and ODFW on May 22, 2014. The information considered during this consultation related to catch-to-date and fishery effort in the commercial salmon fishery north of Cape Falcon. During the consultation, the states recommended reopening the fishery, Friday through Tuesday, with landing and possession limits in place. The previous landing and possession limit in the area from U.S./Canada border to Queets River, set under inseason action #5, was 50 Chinook salmon; the states recommended modifying this to 40 Chinook salmon. The states recommended a 60 Chinook salmon landing and possession limit in the area from Queets River to Cape Falcon. The purpose of this action was to allow access to available Chinook salmon without exceeding the quota set preseason. The RA concurred with the states' recommendation. Inseason action #7 took effect May 23, 2014, and remained in effect until May 30, 2014 when it was superseded by inseason action #8. Inseason action to modify quotas and/or fishing seasons is authorized by 50 CFR 660.409(b)(1)(i).

Inseason Action #8

Inseason action #8 allowed the commercial salmon fisheries north of Cape Falcon to continue on a Friday through Tuesday schedule with a reduced open period landing and possession limit from Queets River to Cape Falcon of 50 Chinook salmon per vessel per open period. The open period landing and possession limit north of Queets River remained at 40 Chinook salmon, as set under inseason action #7.

The RA consulted with representatives of the Council, WDFW, and ODFW on May 29, 2014. The information considered during this consultation related to catch-to-date and fishery effort in the commercial salmon fishery north of Cape Falcon. During the consultation, the states recommended reducing the landing and possession limit south of Queets River to avoid exceeding the north of Cape Falcon quota set preseason. The previous landing and possession limit in the area from Queets River to Cape Falcon, set under inseason action #7, was 60 Chinook salmon; the states recommended modifying this to 50 Chinook salmon. The states recommended no change to the 40 Chinook salmon landing and possession limit in the area from U.S./Canada border to Queets River. The purpose of this action was to allow access to available Chinook salmon without exceeding the quota set preseason. The RA concurred with the states' recommendation. Inseason action #8 took effect May 30, 2014, and remains in effect until June 30, 2014 or until superseded by inseason action. Inseason action to modify quotas and/or fishing seasons is authorized by 50 CFR 660.409(b)(1)(i).

Inseason Action #9

Inseason action #9 modified the landing and possession limit for Pacific halibut caught incidental to commercial salmon fishing from U.S./Canada border to U.S./Mexico border to 1.

Pacific Halibut per Trip

The RA consulted with representatives of the Council, WDFW, ODFW, and California Department of Fish and Wildlife on May 29, 2014. The information considered during this consultation related to catch-to-date and fishery effort in the commercial salmon from U.S./Canada border to U.S./Mexico

border. During the consultation, the states recommended reducing the trip limit for Pacific halibut caught incidental to the commercial fishery from 12 halibut (set preseason) to 1 halibut. The RA concurred with the states' recommendation. This action was taken to avoid exceeding the 2014 incidental halibut allocation while still allowing access to the remaining allocation available. Inseason action #9 took effect May 30, 2014 in the area north of Cape Falcon, the beginning of the next open period. Inseason action #9 took effect May 31, 2014 in the area south of Cape Falcon; because the south of Cape Falcon salmon fishery was open 7 days per week, this effective date was adopted to allow time to provide notice to vessels at sea that the landing and possession limit was changing; inseason action #9 required boats fishing south of Cape Falcon to land Pacific halibut on board, in excess of one halibut, by 11:59 p.m., May 31, 2014. Inseason action #9 remains in effect until 11:59 p.m., June 30, 2014, or until superseded by inseason action. Inseason action to modify quotas and/or fishing seasons is authorized by 50 CFR 660.409(b)(1)(i).

All other restrictions and regulations remain in effect as announced for the 2014 ocean salmon fisheries and 2015 fisheries opening prior to May 1, 2015 (79 FR 24580, May 1, 2014).

The RA determined that the best available information indicated that Chinook salmon and Pacific halibut landings and fishing effort supported the above inseason actions recommended by the states of Washington and Oregon. The states manage the fisheries in state waters adjacent to the areas of the U.S. exclusive economic zone in accordance with these Federal actions. As provided by the inseason notice procedures of 50 CFR 660.411, actual notice of the described regulatory actions was given, prior to the time the action was effective, by telephone hotline number 206–526–6667 and 800–662–9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF–FM and 2182 kHz.

Classification

The Assistant Administrator for Fisheries, NOAA (AA), finds that good cause exists for this notification to be issued without affording prior notice and opportunity for public comment under 5 U.S.C. 553(b)(B) because such notification would be impracticable. As previously noted, actual notice of the regulatory actions was provided to fishers through telephone hotline and radio notification. These actions comply with the requirements of the annual management measures for ocean salmon fisheries (79 FR 24580, May 1, 2014), the West Coast Salmon Fishery Management Plan (Salmon FMP), and regulations implementing the Salmon FMP, 50 CFR 660.409 and 660.411. Prior notice and opportunity for public comment was impracticable because NMFS and the state agencies had insufficient time to provide for prior notice and the opportunity for public comment between the time catch and effort projections were developed and fisheries impacts were calculated, and the time the fishery modifications had to be implemented in order to ensure that fisheries are managed based on the best available scientific information, thus allowing fishers access to the available fish at the time the fish were available while ensuring that quotas are not exceeded. The AA also finds good cause to waive the 30-day delay in effectiveness required under 5 U.S.C. 553(d)(3), as a delay in effectiveness of these actions would allow fishing at levels inconsistent with the goals of the Salmon FMP and the current management measures.

These actions are authorized by 50 CFR 660.409 and 660.411 and are exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 11, 2014.

Emily H. Menashes,

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

[FR Doc. 2014–14034 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 79, No. 115
Monday, June 16, 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.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2014–0413; FRL–9912–04–Region–9]

Revisions to the California State Implementation Plan, Great Basin Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revision to the Great Basin Unified Air Pollution Control District (GBUAPCD) portion of the California State Implementation Plan (SIP). This revision concerns particulate matter (PM) emissions from agriculture. We are proposing to approve a local rule to regulate this emission source under the Clean Air Act (CAA or the Act).

DATES: Any comments on this proposal must arrive by July 16, 2014.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2014–0413, by one of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the on-line instructions.
2. *EMail: steckel.andrew@epa.gov.*
3. *Mail or Deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *www.regulations.gov* or email. *www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: Generally, documents in the docket for this action are available electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901. While all documents in the docket are listed at *www.regulations.gov*, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Nancy Levin, EPA Region IX, (415) 972–3848, *levin.nancy@epa.gov.*

SUPPLEMENTARY INFORMATION: This proposal addresses the following local rule: GBUAPCD Rule 502 Conservation Management Practices. In the Rules and Regulations section of this **Federal Register**, we are approving this local rule in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: May 30, 2014.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2014–13854 Filed 6–13–14; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

RIN 0648–BC95

Fisheries Off West Coast States; West Coast Salmon Fisheries; Notice of Availability for Amendment 18 to the Salmon Fishery Management Plan

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

ACTION: Availability of amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Pacific Fishery Management Council (Council) has transmitted Amendment 18 to the Pacific Coast Salmon Fishery Management Plan for Commercial and Recreational Salmon Fisheries off the Coasts of Washington, Oregon, and California (FMP) for Secretarial review. Amendment 18 revises the description and identification of essential fish habitat (EFH) for Pacific salmon, designates habitat areas of particular concern (HAPC), modifies the current information on fishing activities and potential measures to minimize their effects on EFH, and updates the list of non-fishing related activities that may adversely affect EFH and potential conservation and enhancement measures to minimize those effects. Amendment 18 is available on the Council's Web site (*www.pcouncil.org*).

DATES: Comments on Amendment 18 must be received on or before August 15, 2014.

ADDRESSES: You may submit comments, identified by NOAA–NMFS–2014–0071, by any one of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal e-Rulemaking Portal *http://www.regulations.gov.* To submit comments via the e-Rulemaking Portal, enter NOAA–NMFS–2014–0071 in the search box. Locate the document you wish to comment on from the resulting list and click on the ''Submit a Comment'' icon on the right of that line.
- *Mail:* William W. Stelle, Jr., Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115–0070.

Instructions: Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. 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. All comments received are a part of the public record and will generally be posted for public viewing on *http://www.regulations.gov* without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. 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, WordPerfect, or Adobe PDF file formats only.

Electronic copies of the amendment may be obtained from the Council Web site at *http://www.pcouncil.org.*

FOR FURTHER INFORMATION CONTACT: Peggy Mundy at 206–526–4323.

SUPPLEMENTARY INFORMATION: The ocean salmon fisheries in the exclusive economic zone off Washington, Oregon, and California are managed under a framework fishery management plan entitled the Pacific Coast Salmon Fishery Management Plan (FMP). The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires that each regional fishery management council submit any FMP or plan amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The MSA also requires that NMFS, upon receiving an FMP or amendment, immediately publish a notice that the FMP or amendment is available for public review and comment. NMFS will consider the public comments received during the comment period described above in determining whether to approve Amendment 18 to the FMP.

Essential fish habitat (EFH) definitions for salmon stocks managed under the FMP were originally developed in Amendment 14 to the FMP, and codified by NMFS in 2008 (73 FR 60987, October 15, 2008). The MSA requires periodic review of EFH provisions, and revision or amendment of those provisions, as warranted, based on available information (50 CFR 600.815(a)(10)). In 2009, the PFMC and NMFS established and staffed a Pacific Salmon EFH Oversight Panel (Panel) to review salmon EFH and new information relevant to salmon EFH, and to make recommendations as to whether revisions would be appropriate. The Panel recommended modifications to Pacific salmon EFH in a final report submitted to the Council (Stadler *et al.* 2011). At its April 2011 meeting, the Council initiated an FMP amendment to address the Panel's recommendations. The Council adopted modifications to salmon EFH contained in Amendment 18 at their September 2013 meeting, and transmitted the proposed amendment to NMFS on June 10, 2014.

Freshwater EFH for salmon is described using hydrologic unit codes (HUCs) developed by the US Geological Survey (USGS). The USGS has changed the numbering of some of these HUCs since salmon EFH was originally described under Amendment 14; therefore, Amendment 18 revises Appendix A to the FMP with the updated HUC designations. Additionally, new scientific information has become available on current and historically occupied freshwater salmon habitat; Amendment 18 revises the description and identification of essential fish habitat (EFH) for salmon, based on the latest scientific information available. Amendment 18 also modifies the process for determining whether freshwater habitat above impassable barriers (e.g., dams) should be defined as EFH; designates habitat areas of particular concern; modifies the current information on fishing activities and potential measures to minimize their effects on EFH; and updates the list of non-fishing related activities that may adversely affect EFH and potential conservation and enhancement measures to minimize those effects.

NMFS welcomes comments on the proposed FMP amendment through the end of the comment period. Amendment 18 is available on the Council's Web site (*www.pcouncil.org*). The Council also transmitted a proposed rule to implement Amendment 18 for Secretarial review and approval. NMFS expects to publish and request public review and comment on this rule in the near future. Public comments on the proposed rule must be received by the end of the comment period on the amendment to be considered in the approval/disapproval decision on the amendment. All comments received by the end of the comment period for the amendment, whether specifically directed to the amendment or the proposed rule, will be considered in the approval/disapproval decision.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 11, 2014.

Emily H. Menashes,

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

[FR Doc. 2014–14033 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 79, No. 115

Monday, June 16, 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

Foreign Agricultural Service

Assessment of Fees for Dairy Import Licenses for the 2015 Tariff-Rate Import Quota Year

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces a fee of $250 to be charged for the 2015 tariff-rate quota (TRQ) year for each license issued to a person or firm by the Department of Agriculture authorizing the importation of certain dairy articles, which are subject to tariff-rate quotas set forth in the Harmonized Tariff Schedule (HTS) of the United States.

DATES: June 16, 2014.

FOR FURTHER INFORMATION CONTACT: Abdelsalam El-Farra, Dairy Import Licensing Program, Import Policies and Export Reporting Division, STOP 1021, U.S. Department of Agriculture, 1400 Independence Avenue SW., Washington, DC 20250–1021 or telephone at (202) 720–9439 or email at *abdelsalam.el-farra@fas.usda.gov.*

SUPPLEMENTARY INFORMATION: The Dairy Tariff-Rate Import Quota Licensing Regulation promulgated by the Department of Agriculture and codified at 7 CFR 6.20–6.37 provides for the issuance of licenses to import certain dairy articles that are subject to TRQs set forth in the HTS. Those dairy articles may only be entered into the United States at the in-quota TRQ tariff-rates by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country of origin. The use of such licenses is monitored by the Dairy Import Licensing Program, Import Programs and Export Reporting Division, Foreign Agricultural Service, U.S. Department of Agriculture, and the U.S. Customs and Border Protection, U.S. Department of Homeland Security.

The regulation at 7 CFR 6.33(a) provides that a fee will be charged for each license issued to a person or firm by the Licensing Authority in order to defray the Department of Agriculture's costs of administering the licensing system under this regulation.

The regulation at 7 CFR 6.33(a) also provides that the Licensing Authority will announce the annual fee for each license and that such fee will be set out in a notice to be published in the **Federal Register**. Accordingly, this notice sets out the fee for the licenses to be issued for the 2015 calendar year.

Notice: The total cost to the Department of Agriculture of administering the licensing system for 2015 has been estimated to be $624,300.00 and the estimated number of licenses expected to be issued is 2,500. Of the total cost, $479,200.00 represents staff and supervisory costs directly related to administering the licensing system, and $145,100.00 represents other miscellaneous costs, including travel, postage, publications, forms, and ADP system support.

Accordingly, notice is hereby given that the fee for each license issued to a person or firm for the 2015 calendar year, in accordance with 7 CFR 6.33, will be $250 per license.

Issued at Washington, DC, the 16th day of May 2014.

Ronald Lord,

Licensing Authority.

[FR Doc. 2014–13898 Filed 6–13–14; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF AGRICULTURE

Forest Service

Secure Rural Schools Resource Advisory Committees

AGENCY: Forest Service, USDA.

ACTION: Notice of Intent to Renew the Secure Rural School Resource Advisory Committees

SUMMARY: The Secretary of Agriculture intends to renew the charter for the Secure Rural Schools Resource Advisory Committees (RACs) pursuant to the Secure Rural Schools and Community Self-Determination Act of 2000 (the Act) (Pub. L. 110–343) and operates in compliance with the Federal Advisory Committee Act (FACA) (Pub. L. 92–463). The purpose of the RACs is to improve collaborative relationships among the people that use and care for the National Forests and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. Additional information concerning the RACs can be found by visiting the Secure Rural School Web site at: *http://www.fs.usda.gov/pts/.*

FOR FURTHER INFORMATION CONTACT: Alicia Bell-Sheeter, Acting Secure Rural Schools Program Manager, USDA Forest Service, 1400 Independence Avenue Southwest, Mail Stop 1158, Washington, DC 20250; or by email at *ambellsheeter@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:

Background

On October 2, 2013, the Helium Stewardship Act of 2013 (Pub. L. 113–40) reauthorized the Act. In accordance with the provisions of FACA, the Secretary of Agriculture intends to renew the charter for the RACs. The Secretary has determined the work of the RACs is in the public interest and relevant to the duties of the Department of Agriculture. Renewing the RACs is to ensure that line officers responsible for implementing Title II projects have efficient and effective access to the advice from stakeholders. Equally important, the RACs operation encourages early and continuous coordination among Forest land management agencies, and others to participate openly and meaningfully in planning and implementing projects to benefit communities and forest health.

RAC Membership

The RACs consist of 15 members appointed by the Secretary of Agriculture and consist of members who represent the interests of the following three categories:

(1) Five persons who represent:

(a) Organized Labor or Non-Timber Forest Product Harvester Groups;

(b) Developed Outdoor Recreation, Off-Highway Vehicle Users, or Commercial Recreation Activities;

(c) Energy and Mineral Development, or Commercial or Recreational Fishing Groups;

(d) Commercial Timber Industry; or

(e) Federal Grazing Permit or Other Land Use Permit Holders, or Representative of Non-Industrial Private Forest Land Owners, within the area for which the committee is organized.

(2) Five persons who represent:

(a) Nationally or Regionally Recognized Environmental Organizations;

(b) Regionally or Locally Recognized Environmental Organizations;

(c) Dispersed Recreational Activities;

(d) Archaeology and History; or

(e) Nationally or Regionally Recognized Wild Horse and Burro Interest, Wildlife Hunting Organizations, or Watershed Associations.

(3) Five persons who represent:

(a) Hold State-Elected Office;

(b) Hold County or Local-Elected Office;

(c) American Indian Tribes within or adjacent to the area for which the committee is organized;

(d) Area School Officials or Teachers; or

(e) Affected Public-At-Large.

No individual who is currently registered as a Federal lobbyist is eligible to serve as a member of the RAC. Members of the RAC serve without compensation, but may be reimbursed for travel expenses while performing duties on behalf of the RAC, subject to approval by the Designated Federal Official (DFO). The RAC members serve 4-year terms and shall reside within the State(s) in which the committee is organized. To the extent practical, the membership of each of the three categories will include residents in the vicinity of the national forest for which the committee provides advice.

The Secretary may appoint replacements for each of the three membership categories who may serve on the committee in the event a vacancy arises. If an appropriate replacement is unavailable, nominees will be sought through an open and public process and submitted to the Secretary for vetting, approval, and appointment.

Equal opportunity practices in accordance with U.S. Department of Agriculture (USDA) policies shall be followed in all appointments to the RACs. To ensure that the recommendations of the RACs have been taken into account, the needs of the diverse groups served by the Departments, membership should include, to the extent practicable, individuals with demonstrated ability to represent all racial and ethnic groups, women and men, and persons with disabilities.

Dated: June 10 2014.

Malcom A. Shorter,

Deputy Assistant Secretary for Administration.

[FR Doc. 2014–14046 Filed 6–13–14; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Tongass National Forest; Alaska; Shoreline II Outfitter/Guide Environmental Impact Statement

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Department of Agriculture, Forest Service, will prepare an Environmental Impact Statement (EIS) to allocate a portion of the overall visitor capacity to outfitter and guide (O/G) use within four ranger districts of the Tongass National Forest. The project will consider marine shoreline-based commercial non-motorized recreation use on Admiralty Island National Monument and Juneau, Hoonah and Sitka Ranger Districts. The Shoreline II project area includes all areas used by non-motorized outfitter and guide activities that originate from the marine shoreline areas. The project area generally extends ½ mile inland. The project area extends further inland where specific outfitter and guide activities and locations are accessed from the shoreline (i.e., goat/deer hunting, canoe route/portage, freshwater fishing on anadromous and other fish-bearing streams and lakes). The Record of Decision will disclose how the Forest Service decides to allocate (or distribute) shoreline-based recreation capacity for O/G uses. This decision will replace the 2004 Shoreline Outfitter/Guide Record of Decision.

DATES: Comments concerning the project must be received by July 31, 2014. The Draft Environmental Impact Statement is expected to be released in spring 2015 and the Final Environmental Impact Statement is expected to be released in winter 2016.

ADDRESSES: Comments can be submitted via the project Web site at *http://go.usa.gov/Pzi.* Click on the link ''Comment on Project'' to submit comments and attach documents. Comments may also be sent via email to *comments-alaska-tongass-sitka@fs.fed.us* or sent via fax to 907–747–4253. Send written comments to Jay Kinsman, Shoreline II Team Leader, Sitka Ranger District, 204 Siginaka Way, Sitka, AK 99835.

FOR FURTHER INFORMATION CONTACT: Jay Kinsman, Shoreline II Team Leader by phone: 907–747–4228 or email: *jkinsman@fs.fed.us.* Additional information about the project and project area is available on the Internet at *http://go.usa.gov/Pzi.* Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m. Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

The purpose of this action is to manage outfitters and guides on the Tongass National Forest marine shoreline zone consistent with the 2008 Tongass Land and Resource Management Plan (Forest Plan). A decision is needed to determine new outfitter and guide use allocations for the project area. This is necessary to balance commercial and non-commercial recreational opportunities and to provide and maintain high quality recreation experiences without degrading forest resources.

This action is needed to meet Forest Plan goals and objectives for recreation, tourism, and to support local and regional economies. In addition, the 2004 Shoreline ROD required a review after 5 years to determine whether to continue implementing the decision, or to supplement it. A 5-year review was never conducted; this environmental analysis is intended to fulfill the role of that review. This environmental analysis will replace the Shoreline ROD with a new Environmental Impact Statement and Record of Decision.

Since the Shoreline ROD was completed in 2004, demand for non-motorized recreation commercial services that originate in the marine shoreline zone has increased. The need for recreation commercial services has expanded both in terms of number of visitors, and the types of services being offered. There has been an increase in the fleet of small to mid-size cruise ships desiring to guide on the Tongass, and the demand for guided big game hunting continues to grow. Also, the traditionally low-use seasons (April–May; September–October) are seeing increased use, with additional interest for commercial use in the winter use season (January–March). Fourteen of the use areas defined in the 2004 Shoreline

decision are at 80 percent or more of their allocation during one or more seasons, and operators are dispersing to areas traditionally less used. At some locations, outfitters and guides have requested to operate beyond the ½-mile zone. There is a need to revisit the decision to better align with current market demand for non-motorized commercial recreation services.

Also, in 2008, the Forest Service updated the national directives for outfitting and guiding. These updates simplified procedures and clarified policies for priority use permits governing performance, inspections, and allocation of use. Additionally, data gathered recently through monitoring and reported use by guides shows that some information used in the 2001 Visitor Capacity Analysis required updating based on information gathered through Forest Service monitoring and reported use by guides.

Proposed Action

The Forest Service is proposing to allocate a portion of the overall visitor capacity to outfitter and guide use. The 2014 Shoreline II Project Visitor Capacity Analysis (located at *http://go.usa.gov/Pzi*) establishes the total visitor capacity for the project area. Visitor capacity and the proposed allocations are described in terms of service days. A service day is defined as a day, or any part of a day, for which an outfitter or guide provides service to a client on National Forest System (NFS) lands. Service days were calculated and allocated to 48 geographic units defined as Use Areas.

The Forest Service proposes to allocate up to 79,901 service days of the total visitor capacity of 636,448 service days within the project area to outfitter and guide use. These allocations are proposed by season and Use Area. The Forest Service proposes to allocate guided brown bear hunts in the Alaska Department of Fish and Game (ADF&G) Unit 4 Game Management Unit based on the recommended number of hunts in the Alaska Board of Game Brown Bear Management Strategy (BBMS, 2000). The number of hunts will be allocated by ADF&G Guide Use Area to the spring and fall seasons proportionally based on the 5-year average from actual use reports (2008–2012). For example, the BBMS recommends ten hunts in the 04–01 ADF&G Guide Use Area (which contains 04–01A, B, and C Shoreline II Use Areas). Based on the 5-year average, 66 percent of the hunts have occurred in the spring season and 34 percent have occurred in the fall season. We propose to allocate seven of the ten hunts (66 percent) to the spring season and three hunts (34 percent) to the fall season. Since Shoreline II Use Areas are smaller subunits of the ADF&G Guide Use Areas, the location of the hunts could occur across multiple Shoreline II Use Areas. The service days used for each hunt would be part of the total outfitter/guide allocation proposed for the Use Area and season.

We propose that no more than 50 percent of the total outfitter/guide allocation for a Use Area, by season, would be allowed at a large group area (LGA), with exceptions in Use Areas with hardened LGA sites. At hardened LGA sites the authorized officer would have the ability to authorize more than 50 percent of that season's Use Area allocation (not to exceed the total commercial allocation for the season). For example, George Island LGA in Use Area 04–16E is a hardened site that can accommodate more than the 2,356 service days available (50 percent of the proposed summer allocation) for LGA use in the summer. The authorized officer could raise the allowed use at this LGA above 2,356 service days.

The project area overlaps with six congressionally designated wilderness areas. The Wilderness Act of 1964 prohibits commercial services, except for those that may be necessary to meet the recreational or other purposes of the area. The need for commercial services in wilderness has been documented in Wilderness Commercial Needs Assessments, which are available at *http://go.usa.gov/Pzi*. Twenty Use Areas are within designated wilderness. In addition to the proposed outfitter and guide use allocations, the Forest Service will seek to expand voluntary wilderness best management practices agreements with recreation service providers where appropriate.

The Proposed Action would allocate a total of 79,901 service days across the four districts for use by outfitters and guides. The use will be authorized by special use permits to outfitters and guides, and may be temporary in nature (less than 1 year) or for multiple years. For outfitters and guides who have demonstrated satisfactory performance, the authorized officer may issue priority use permits, for up to 10 years, in accordance with Forest Service Handbook 2709.14. The Proposed Action does not limit non-commercial use by the public.

Possible Alternatives

A no-action alternative will be considered. This alternative will be a continuation of outfitting and guiding resembling the current management and reflect the decision in the 2004 Shoreline Outfitter/Guide Record of Decision. At this time, no other alternatives are being considered because no preliminary issues have been identified that would require developing another alternative.

Responsible Official

The forest supervisor of the Tongass National Forest is the responsible official for this decision.

Nature of Decision To Be Made

The decision based on this EIS will allocate a portion of the total visitor capacity to outfitter and guide use in the marine shoreline zone. The decision, which will be documented in a Record of Decision, will:

1. Specify the amount of the carrying capacity in service days that are allocated to commercial recreation use for each Use Area in each season,
2. specify the types of commercial recreation activities permitted,
3. determine what, if any, management strategies to implement for brown bear, wilderness, and large group use areas and other issues identified through the analysis,
4. specify any mitigation measures for commercial recreation activities to reduce user conflicts and resource impacts, and establish monitoring requirements.

Permits or Licenses Required

Some outfitter and guide activities authorized by this decision may require outfitters and guides to obtain permits from other Federal and State agencies.

Scoping Process

This notice of intent initiates the scoping process, which guides the development of the Environmental Impact Statement. Since February 2012, the four districts have been gathering information and comments on recreation use and outfitter and guide use of the Shoreline II area. Newsletters about the project were mailed to interested individuals, and a Web site, *http://go.usa.gov/Pzi,* was established to provide information. Input to help develop the Proposed Action was sought through public meetings and a hard copy and online comment form.

In June 2014, the four ranger districts plan to send out a scoping letter seeking information and comments from Federal, State, and local agencies, tribal organizations, individuals, businesses, and organizations that may be interested in, or affected by, the Proposed Action. Comments received as a result of this scoping will be included in the analysis and will be analyzed to identify issues to be considered in the Draft EIS. Public information meetings will be held this

summer at the following locations: July 8 from 5–8 p.m. at Harrigan Centennial Hall in the Exhibits Room in Sitka, Alaska; and June 24 from 5–7 p.m. at the Admiralty National Monument and Juneau Ranger District office located at 8510 Mendenhall Loop Road, Juneau, Alaska. Dates for the meeting at the Hoonah Ranger District office at 430 Airport Way, Hoonah, Alaska will be announced in a public service announcement. If you are unable to attend one of the above public meetings, webinars will also be held this summer. You can contact us via email for directions and links.

The Web site will provide electronic methods for providing comments through direct online entry. The Web site is the preferred method for receiving comments. It is important that reviewers provide their comments at such times and in such manner that they are useful to the agency's preparation of the Environmental Impact Statement. Therefore, comments should be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions. Comments received in response to this solicitation, including names and addresses of those who comment, will be part of the public record for this Proposed Action. Comments submitted anonymously will be accepted and considered.

Dated: June 6, 2014.

Forrest Cole,

Forest Supervisor.

[FR Doc. 2014–13991 Filed 6–13–14; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Forest Service

Shoshone Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Shoshone Resource Advisory Committee (RAC) will meet in Greybull, Wyoming. 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 vote on projects proposed for the Big Horn RAC Title II funds.

DATES: The meeting will be held from 10:00 a.m. to 12:30 p.m. on 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 Big Horn County Weed and Pest Building, Meeting Room, 4782 Highway 310, Greybull, Wyoming. Those who wish to join the meeting via teleconference may do so by contacting the person listed under **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 the Shoshone National Forest Supervisor's Office. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Steve Schacht, District Ranger, by phone at 307–335–2171 or via email at *sschacht@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 10, 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 Steve Schacht, District Ranger, 333 East Main Street, Lander, Wyoming 82520; by email to *sschacht@fs.fed.us* or via facsimile to 307–332–0264.

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.

Joseph G. Alexander,

Forest Supervisor.

[FR Doc. 2014–13976 Filed 6–13–14; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Amended Designation for Gulf Country Inspection and Weighing Service, Inc.

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Notice.

SUMMARY: GIPSA is announcing the designation of Gulf Country Inspection and Weighing Service, Inc. (Gulf Country) to provide official services under the United States Grain Standards Act (USGSA), as amended. Gulf Country's geographical area is amended to include the unassigned area of Southeast Texas announced in the **Federal Register** on March 19, 2014. In addition, GIPSA is announcing the designation of Gulf Country to provide Class X or Class Y weighing services under the United States Grain Standards Act (USGSA), as amended.

DATES: *Effective Date:* July 1, 2014.

ADDRESSES: Eric J. Jabs, Chief, USDA, GIPSA, FGIS, QACD, QADB, 10383 North Ambassador Drive, Kansas City, MO 64153.

FOR FURTHER INFORMATION CONTACT: Eric J. Jabs, 816–659–8408 or *Eric.J.Jabs@usda.gov.*

Read Applications: All applications and comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(c)).

SUPPLEMENTARY INFORMATION: In the March 19, 2014 **Federal Register** Notice (79 FR 15307), GIPSA requested applications for designation to provide official services in unassigned areas of Southeast Texas. Applications were due by April 18, 2014. GIPSA received seven comments, representing six grain companies and one trade association in support of Gulf Country's designation for the geographical area announced in the **Federal Register**. The commenters stated customer service, improved

scheduling, and reduced cost in support of Gulf Country.

Gulf Country was the sole applicant for designation to provide official services in this area announced in the **Federal Register**. As a result, GIPSA did not ask for additional comments.

GIPSA evaluated all available information regarding the designation criteria in section 79(f) of the USGSA (7 U.S.C. 79(f)) and determined that Gulf Country is qualified to provide official services in the geographic area specified in the **Federal Register** Notice published on March 19, 2014.

Pursuant to Section 79(f)(2) of the United States Grain Standards Act, the following amended geographic area, is assigned to Gulf Country:

In Texas

Bounded on the north by northern Lampasas, Coryell, McLennan, Limestone, Freestone, Anderson, Cherokee, Nacogdoches, San Augustine, and Sabine County Line east to the Texas State Line;

Bounded on the east by the Eastern Texas State Line.

Bounded on the south by the Southern Texas State Line.

Bounded on the west by the western Cameron, Hidalgo, Starr, Zapata, Duval, McMullen, Atascosa, Bexar, Comal, Blanco, Burnet and Lampasas County Lines.

Excludes export port locations serviced by GIPSA's League City Field Office, Beaumont Sub-office, and Corpus Christi Duty Point.

In addition, Gulf County asked GIPSA to amend their designation to include official weighing services. Section 79a of the USGSA authorizes the Secretary to designate authority to perform official weighing to an agency providing official inspection services within a specified geographic area, if such agency is qualified under section 79 of the USGSA. GIPSA evaluated information regarding the designation criteria in section 79 of the USGSA and determined that Gulf Country is qualified to provide official weighing in their designated area.

Gulf Country's designation is amended to provide official services in these specified areas and Class X or Class Y weighing, effective July 1, 2014 to December 31, 2014.

Interested persons may obtain official services by contacting this agency at the following telephone number:

Official agency	Headquarters location and telephone	Amended designation start	Amended designation end
Gulf Country	Saginaw, TX—(807) 306–5900	7/1/2014	12/31/2014

Section 79(f) of the USGSA authorizes the Secretary to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services (7 U.S.C. 79(f)).

Under section 79(g) of the USGSA, designations of official agencies are effective for no longer than three years unless terminated by the Secretary; however, designations may be renewed according to the criteria and procedures prescribed in section 79(f) of the USGSA.

Authority: 7 U.S.C. 71–87k.

Larry Mitchell,

Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 2014–14003 Filed 6–13–14; 8:45 am]

BILLING CODE 3410–KD–P

DEPARTMENT OF AGRICULTURE

Rural Business—Cooperative Service

Notice of Contract Proposals (NOCP) for the Advanced Biofuels Payment Program

AGENCY: Rural Business-Cooperative Service, United States Department of Agriculture (USDA).

ACTION: Notice.

SUMMARY: This Notice of Contract Proposals announces the availability of $15 million in fiscal year 2014 to make payments to advanced biofuel producers for the production of eligible advanced biofuels. Applications for participating in the Advanced Biofuel Payment Program for fiscal year 2014 were accepted from October 1 through October 31, 2013. This Notice is to advise those who have already applied for fiscal year 2014 funding how much funding is available and how to qualify for those funds. The funding for fiscal year 2014 is from the Agricultural Act of 2014 (2014 Farm Bill), Public Law 113–79.

DATES: Applications for participation in fiscal year 2014 were accepted from October 1 through October 31, 2013, in accordance with 7 CFR 4288.120(b). Applicants must also comply with the quarterly submission dates referenced in this Notice under IV(C)(2) and also contained in 7 CFR 4288.102 and 4288.130(d).

ADDRESSES: See the **SUPPLEMENTARY INFORMATION** for addresses concerning information for the Advanced Biofuel Payment Program for fiscal year 2014 funds.

FOR FURTHER INFORMATION CONTACT: For information about the Advanced Biofuel Payment Program assistance, please contact a USDA Rural Development Energy Coordinator, as provided in the **SUPPLEMENTARY INFORMATION** section of this Notice, or Lisa Noty, Energy Division, USDA Rural Development, 511 W. 7th Street, Atlantic, IA 50022. Telephone: (712) 243–2107 Extension 116. Email: *lisa.noty@wdc.usda.gov.*

SUPPLEMENTARY INFORMATION:

Fiscal Year 2014 Applications for the Advanced Biofuel Payment Program

An applicant (unless the applicant is an individual) must have a Dun and Bradstreet Data Universal Numbering System (DUNS) number, which can be obtained at no cost via a toll-free request line at 1–866–705–5711 or online at *http://fedgov.dnb.com/webform.* Complete applications must be submitted to the Rural Development State Office in the State in which the applicant's principal place of business is located.

Universal Identifier and System for Awards Management (SAM)

Unless exempt under 2 CFR 25.110, the applicant must:

(a) Be registered in the SAM prior to submitting an application or plan;

(b) Maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by the Agency; and

(c) Provide its DUNS number in each application or plan it submits to the Agency.

Rural Development Energy Coordinators

For further information on this program, please contact the applicable USDA Rural Development Energy

Coordinator for your respective State, as identified via the following link: *http://www.rurdev.usda.gov/BCP_Energy_CoordinatorList.html.*

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995, the information collection requirements associated with the Advanced Biofuel Payments Program, as covered in this Notice, have been approved by the Office of Management and Budget (OMB) under OMB Control Number 0570–0057.

Overview

Federal Agency Name: Rural Business—Cooperative Service (an agency of the United States Department of Agriculture (USDA) in the Rural Development mission area).

Contract Proposal Title: Advanced Biofuel Payment Program.

Announcement Type: Annual announcement.

Catalog of Federal Domestic Assistance Number (CFDA): The CFDA number for this Notice is 10.867.

Dates: The Advanced Biofuels Program sign-up period for fiscal year 2014 participation was October 1 to October 31, 2013.

Availability of Notice and Rule: This Notice and the interim rule for the Advanced Biofuel Payment Program are available on the USDA Rural Development Web site at *http://www.rurdev.usda.gov/BCP_Biofuels.html.*

I. Funding Opportunity Description

A. Purpose of the Program

The purpose of this program is to support and ensure an expanding production of advanced biofuels by providing payments to eligible advanced biofuel producers. Implementing this program not only promotes the Agency's mission of promoting sustainable economic development in rural America, but is an important part of achieving the Administration's goals for increased biofuel production and use by providing economic incentives for the production of advanced biofuels.

B. Statutory Authority

This program is authorized under 7 U.S.C. 8105.

C. Definition of Terms

The definitions applicable to this Notice are published at 7 CFR 4288.102.

II. Award Information

A. Available Funds

The Agency is authorized to provide $15 million for this program in fiscal year 2014 pursuant to the 2014 Farm Bill.

B. Approximate Number of Awards

The number of awards will depend on the number of participating advanced biofuel producers.

C. Range of Amounts of Each Payment

There is no minimum or maximum payment amount that an individual producer can receive. The amount that each producer receives will depend on the number of eligible advanced biofuel producers participating in the program for the respective fiscal year, the amount of advanced biofuels being produced by such advanced biofuel producers, and the amount of funds available.

D. Contract

For producers participating in this program for the first time, a contract will need to be entered into with the Agency and the contract period will continue indefinitely until terminated as provided for in 7 CFR 4288.121(d). For producers that participated in this program in the previous fiscal year, the contract period continues indefinitely until terminated as provided for in 7 CFR 4288.121(d).

E. Production Period

Payments to participating advanced biofuel producers under this Notice will be made on actual eligible advanced biofuels produced from October 1, 2013, through September 30, 2014, in accordance with 7 CFR part 4288 subpart B.

F. Type of Instrument

Payment.

III. Eligibility Information

A. Eligible Applicants

To be eligible for this program, an applicant must meet the eligibility requirements specified in 7 CFR 4288.110.

B. Biofuel Eligibility

To be eligible for payment, an advanced biofuel must meet the eligibility requirements specified in 7 CFR 4288.111.

C. Payment Eligibility

To be eligible for program payments, an advanced biofuel producer must maintain the records specified in 7 CFR 4288.113.

IV. Application and Submission Information:

A. Address To Request Applications

Annual Application, Contract, and Payment Request forms are available from the USDA Rural Development State Office, Rural Development Energy Coordinator. The list of Rural Development Energy Coordinators is provided in the **SUPPLEMENTARY INFORMATION** section of this Notice.

B. Content and Form of Submission

The enrollment provisions, including application content and form of submission, are specified in 7 CFR 4288.120 and 4288.121.

C. Submission Dates and Times

(1) *Enrollment.* Advanced biofuel producers who expect to produce eligible advanced biofuel at any time during fiscal year 2014 must enroll in the program by the dates identified in this Notice. Applications received after the identified dates, regardless of their postmark, will not be considered by the Agency. Producers who participated in this Program in any previous fiscal year must submit a new application as identified above to be considered.

(2) *Payment applications.* Advanced biofuel producers must submit Form RD 4288–3, ''Advanced Biofuel Payment Program—Payment Request,'' for each of the four Federal fiscal quarters for each fiscal year. Pay requests for the first and second quarter of fiscal year 2014 must be submitted by 4:30 p.m. July 16, 2014, July 31, 2014, for the third quarter; and October 31, 2014, for the fourth quarter. Neither complete nor incomplete payment applications received after such dates and times will be considered, regardless of the postmark on the request. If any of these deadlines falls on a weekend or a federally-observed holiday, the deadline is the next Federal business day.

D. Funding Restrictions

Not more than 5 percent of the funds in each fiscal year will be made available to eligible producers with a refining capacity (as determined for the prior fiscal year) exceeding 150,000,000 gallons per year of a liquid advanced biofuels or exceeding 15,900,000 million British Thermal Units per year of biogas and solid advanced biofuel. (In calculating whether a producer meets either of these capacities, production of all advanced biofuel facilities in which the producer has 50 percent or more ownership will be totaled.) The Agency will provide payments to eligible solid advanced biofuels produced from forest biomass of not more than 5 percent of available program funds in each fiscal year. The remaining funds will be made available to all other producers.

E. Payment Provisions

Payments will be made according to the provisions specified in 7 CFR 4288.130 through 4288.137. Producers submitting payment requests for fiscal year 2014 first and second quarter production after July 16, 2014 will not be paid. Payment requests are required to be submitted in accordance with 7 CFR 4288.130(d). The Biofuel Payment Program Annual Application, Form RD 4288–1, must have been submitted within the required timeframe.

V. Administration Information

A. Notice of Eligibility

The provisions of 7 CFR 4288.112 apply to this Notice. These provisions include notifying an applicant determined to be eligible for participation and assigning such applicant a contract number and notifying an applicant determined to be ineligible, including the reason(s) the applicant was rejected and providing such applicant appeal rights as specified in 7 CFR 4288.103.

B. Administrative and National Policy Requirements

(1) *Review or appeal rights.* A person may seek a review of an adverse agency decision or appeal to the National Appeals Division as provided in 7 CFR 4288.103.

(2) *Compliance with other laws and regulations.* The provisions of 7 CFR 4288.104 apply to this Notice, which includes requiring advanced biofuel producers to be in compliance with other applicable Federal, State, and local laws.

(3) *Oversight and monitoring.* The provisions of 7 CFR 4288.105 apply to this Notice, which includes the right of the Agency to verify all payment requests and subsequent payments and the requirement that each eligible advanced biofuel producer make available at one place at all reasonable times for examination by representatives of USDA, all books, papers, records, contracts, scale tickets, settlement sheets, invoices, written price quotations, and other documents related to the program that are within the control of such advanced biofuel producer for not less than 3 years from each Program payment date.

(4) *Exception authority.* The provisions of 7 CFR 4288.107 apply to this Notice.

(5) *Unauthorized Assistance.* The provision of 7 CFR 4288.135 apply to this Notice.

C. Environmental Review

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, ''Environmental Program.'' RBS has determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment, and in accordance with the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 et seq, this regulation is a Categorical Exclusion. Payment applications will be reviewed individually to determine compliance with NEPA.

VII. Agency Contacts

For assistance on this payment program, please contact a USDA Rural Development Energy Coordinator, as provided in the **SUPPLEMENTARY INFORMATION** section of this Notice, or Lisa Noty, Energy Division, USDA Rural Development, 511 W. 7th Street, Atlantic, IA. Telephone: (712) 243–2107 extension 116. Email: *lisa.noty@wdc.usda.gov.*

VIII. 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, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means of communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET center at (202) 720–2600 (voice and TDD).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (PDF), found online at *http://www.ascr.usda.gov/complaint_filing_cust.html,* or at any USDA office, or call (866) 632–9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue SW., Washington, DC 20250–9410, by fax (202) 690–7442 or email at *program.intake@usda.gov.*

Individuals who are deaf, hard of hearing, or have speech disabilities and you wish to file a program complaint please contact USDA through the Federal Relay Service at (800) 877–8339 or (800) 845–6136 (in Spanish). USDA is an equal opportunity provider and employer.

Dated: June 10, 2014.

Lillian E. Salerno,

Administrator, Rural Business-Cooperative Service.

[FR Doc. 2014–14024 Filed 6–13–14; 8:45 am]

BILLING CODE 3410–XY–P

DEPARTMENT OF AGRICULTURE

Rural Business—Cooperative Service

Notice of Funding Availability for the Repowering Assistance Program

AGENCY: Rural Business—Cooperative Service and Rural Utilities Service, USDA.

ACTION: Notice.

SUMMARY: The Notice announces the availability of up to $12 million to make payments to eligible biorefineries in fiscal year (FY) 2014. This Notice announces the acceptance of applications for payments to eligible biorefineries to encourage the use of renewable biomass as a replacement fuel source for fossil fuels used to provide process heat or power in the operation of these eligible biorefineries. To be eligible for payments, biorefineries must have been in existence on or before June 18, 2008.

DATES: Applications for participating in this program for FY 2014 will be accepted from June 16, 2014 through September 15, 2014. Applications received after September 15, 2014, regardless of their postmark, will not be considered for (FY) 2014 payments. If the actual deadline falls on a weekend or a federally-observed holiday, the deadline is the next Federal business day.

ADDRESSES: Application materials may be obtained by contacting USDA, Rural Development—Energy Division, Technology Branch, Attention: Repowering Assistance Program, 1400 Independence Avenue SW., Stop 3225, Washington, DC 20250–3225.

Submit applications to USDA, Rural Development—Energy Division, Technology Branch, Attention: Repowering Assistance Program, 1400 Independence Avenue SW., Stop 3225, Washington, DC 20250–3225.

FOR FURTHER INFORMATION CONTACT: For further information on this payment program, please contact Fred Petok, USDA, Rural Development, Business Programs Energy Division, Technology Branch, 1400 Independence Avenue

SW., Room 6870, STOP 3225, Washington, DC 20250–3225. Telephone: 202–690–0784. Email: *frederick.petok@wdc.usda.gov.*

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995, the information collection requirements associated with the Section 9004 Repowering Assistance Program, as covered in this Notice, have been approved by the Office of Management and Budget (OMB) under OMB Control Number 0570–0066.

Overview

Federal Agency Name: Rural Business—Cooperative Service (an agency of the United States Department of Agriculture (USDA) in the Rural Development mission area).

Payment Proposal Title: Repowering Assistance Program.

Announcement Type: Initial announcement.

Catalog of Federal Domestic Assistance (CFDA) Number. The CFDA number for this Notice is 10.866.

Dates: The Repowering Assistance Program application period for FY 2014 is June 16, 2014 to September 15, 2014.

Availability of Notice and Rule. This Notice and the interim rule for the Repowering Assistance Program are available on the USDA Rural Development Web site at *http://www.rurdev.usda.gov/BCP_RepoweringAssistance.html*. The interim rule can also be found at 7 CFR 4288 subpart A.

I. Funding Opportunity Description

A. Purpose of the Program

The purpose of this program is to provide financial incentives to biorefineries in existence on or before June 18, 2008, the date of the enactment of the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) (Pub. L. 110–246), to replace the use of fossil fuels used to produce heat or power at their facilities by installing new systems that use renewable biomass, or to produce new energy from renewable biomass.

B. Statutory Authority

This program is authorized under 7 U.S.C. 8104.

C. Definition of Terms

The definitions applicable to this Notice are published at 7 CFR 4288.2.

II. Award Information

A. Available Funds

The Agency is authorizing up to $12 million for this program in FY 2014.

B. Number of Payments

The number of payments will depend on the number of participating biorefineries.

C. Amount of Payments

The Agency will determine the amount of payments to be made to a biorefinery in accordance with its regulations at 7 CFR part 4288 subpart A which take into consideration the percentage reduction in fossil fuel used by the biorefinery (including the quantity of fossil fuels a renewable biomass system is replacing) and the cost and cost-effectiveness of the renewable biomass system.

D. Payment Limitations

There is no minimum payment amount that an individual biorefinery can receive. The maximum amount an individual biorefinery can receive under this Notice is 50 percent of total eligible project costs up to a maximum of $3 million.

E. Project Costs

Eligible project costs will be only for project related construction costs for repowering improvements associated with the equipment, installation, engineering, design, site plans, associated professional fees, permits and financing fees. Any project costs incurred by the applicant prior to application for payment assistance under this Notice will be ineligible for payment assistance.

F. Type of Instrument

Payment agreement.

III. Eligibility Information

A. Eligible Applicants

Program requirements are found in 7 CFR 4288.10. Among other things, to be eligible for this program, an applicant must be a biorefinery that has been in existence on or before June 18, 2008, and will utilize renewable biomass to replace fossil fuel for repowering the biorefinery.

B. Ineligible Projects

A project is not eligible under this Notice if it is using feedstocks for repowering that are feed grain commodities that received benefits under Title I of the Food, Conservation, and Energy Act of 2008. Projects that do not score minimum points for cost-effectiveness and percentage of reduction of fossil fuel used will be deemed ineligible.

IV. Multiple Submissions

Corporations and entities with more than one biorefinery can submit an application for only one of their biorefineries. However, if a corporation or entity has multiple biorefineries located at the same location, the entity may submit an application that covers such biorefineries provided the heat and power used in the multiple biorefineries are centrally produced.

V. Scoring Advice

A. Cost Effectiveness

To be eligible and meet the minimum scoring criteria, the project must have a simple payback period of no more than 10 years (i.e., must be awarded at least five points for cost-effectiveness under 7 CFR 4288.21(b)(1)).

B. Percentage of Reduction of Fossil Fuel Used

To be eligible and meet the minimum scoring criteria, the applicant must demonstrate that the repowering project has an anticipated annual reduction in fossil fuel use of at least 40 percent (i.e., the application must be awarded at least five points for percentage of reduction of fossil fuel used under 7 CFR 4288.21(b)(2)).

VI. Project Financing

The applicant must demonstrate that it has sufficient funds or has obtained commitments for sufficient funds to complete the repowering project taking into account the amount of the payment request in the application.

VII. Fiscal Year 2014 Application and Submission Information

A. To Request Applications

Application forms are available from the USDA Rural Development State Office, State Energy Coordinator, and the Agency Web site found at *http://forms.sc.egov.usda.gov*. Follow instructions on the Agency Web site for obtaining the application and forms.

B. Content and Form of Submission

Applicants must submit a signed original and one copy of an application containing all the information specified in 7 CFR 4288.20(b) and (c).

C. Submission Dates and Times

Applications to participate in this program for FY 2014 must be submitted between June 16, 2014 and September 15, 2014. Applications received after 4:30 p.m. September 15, 2014, regardless of their postmark, will not be considered by the Agency for FY 2014 payments.

D. Payment Provisions

FY 2014 payments will be made according to the provisions specified in

7 CFR 4288.13(b) and (c) and in 7 CFR 4288.24.

VIII. Application Review and Selection Information

The Agency will evaluate projects based on the cost, cost-effectiveness, and capacity of projects to reduce fossil fuels used.

A. Review

The Agency will review applications submitted under this Notice in accordance with 7 CFR 4288.21(a).

B. Scoring

The Agency will score applications submitted under this Notice in accordance with 7 CFR 4288.21(b).

C. Ranking and Selecting Applications

All scored applications will be ranked by the Agency as soon after September 15, 2014 as possible. The Agency will consider the score an application has received compared to the scores of other applications, with higher scoring applications receiving first consideration for payments. Using the application scoring criteria point values specified in 7 CFR 4288.21, the Agency will select applications for payments.

D. Availability of Funds

As applications are funded, if insufficient funds remain to pay the next highest scoring application, the Agency may elect to pay a lower scoring application. Before this occurs, the Agency will provide the applicant of the higher scoring application the opportunity to reduce the amount of its payment request to the amount of funds available. If the applicant agrees to lower its payment request, it must certify that the purposes of the project can be met, and the Agency must determine the project is feasible at the lower amount.

IX. Administration Information

A. Notice of Eligibility

The provisions of 7 CFR 4288.23 apply to this Notice. These provisions include notifying an applicant determined to be eligible for participation and notifying an applicant determined to be ineligible, including their application score and ranking and the score necessary to qualify for payments.

B. Administrative and National Policy Requirements

(1) *Review or Appeal Rights.* A person may seek a review of an Agency adverse decision or appeal to the National Appeals Division as provided in 7 CFR 4288.3.

(2) *Compliance With Other Laws and Regulations.* The provisions of 7 CFR 4288.4 apply to this Notice, which includes requiring participating biorefineries to be in compliance with other applicable Federal, State, and local laws.

(3) *Oversight and Monitoring.* The provisions of 7 CFR 4288.5(a) and (b) apply to this Notice, which includes the right of the Agency to verify all payment applications and subsequent payments and the requirement that each biorefinery must make available, at one place at all reasonable times for examination by the Agency, all books, documents, papers, receipts, payroll records, and bills of sale adequate to identify the purposes for which, and the manner in which, funds were expended for all eligible project costs for a period of not less than 3 years from the final payment date.

(4) *Reporting.* Upon completion of the repowering project funded under this Notice, the biorefinery must submit a report, in accordance with 7 CFR 4288.5(c), to the Agency annually for the first 3 years after completion of the project. The reports are to be submitted as of October 1 of each year.

(5) *Exception Authority.* The provisions of 7 CFR 4288.7 apply to this Notice.

(6) *Succession and Control of Facilities and Production.* The provisions of 7 CFR 4288.25 apply to this Notice.

C. *Environmental Review.* All recipients under this Notice are subject to the requirements of 7 CFR Part 1940, subpart G.

X. Agency Contacts

For further information about this Notice, please contact Fred Petok, USDA, Rural Development, Business Programs Energy Division, 1400 Independence Avenue SW., Room 6870, STOP 3225, Washington, DC 20250–3225. Telephone: 202–690–0784. Email: *frederick.petok@wdc.usda.gov.*

XI. Nondiscrimination Statement

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (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 TDD).

To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250–9410 or call toll-free at (866) 632–9992 (English) or (800) 877–8339 (TTD) or (866) 377–8642 (English Federal-relay) or (800) 845–6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Dated: May 20, 2014.

Ashli Palmer,

Acting Administrator, Rural Business-Cooperative Service, United State Department of Agriculture.

[FR Doc. 2014–14048 Filed 6–13–14; 8:45 am]

BILLING CODE 3410–XY–P

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Sunshine Act Meeting

TIME AND DATE: July 16, 2014 12:00 p.m.–3:00 p.m. EDT.

PLACE: Four Points Sheraton, Ballroom, 600 Kanawha Blvd. E, Charleston, WV 25301.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: The Chemical Safety and Hazard Investigation Board (CSB) will convene a public meeting on July 16, 2014, starting at 12:00 p.m. in the Ballroom at the Four Points Sheraton located at 600 Kanawha Blvd. E, Charleston, WV 25301.

At the public meeting, the board will hear findings and recommendations from the CSB's investigation team into the December 9, 2010, explosion and fire which occurred at AL Solutions located in New Cumberland, WV. An explosion ripped through the New Cumberland AL Solutions titanium plant in West Virginia on December 9, 2010, fatally injuring three workers. The workers were processing titanium powder, which is highly combustible, at the time of the explosion. The meeting will also provide an update on the CSB's investigation into the January 9, 2014, tank leak at Freedom Industries that contaminated the local water supply leaving hundreds of thousands of West Virginia residents without clean drinking water.

This public meeting is intended to provide members of the public with information into how this incident occurred and how similar future incidents can be prevented or mitigated.

Following the staff presentation the Board will hear comments from the public. All staff presentations are preliminary and are intended solely to allow the Board to consider in a public forum the issues and factors involved in this case. No factual analyses, conclusions, or findings presented by staff should be considered final until approved by a vote of the Board.

Additional Information

The meeting is free and open to the public. If you require a translator or interpreter, please notify the individual listed below as the ''Contact Person for Further Information,'' at least five business days prior to the meeting.

The CSB is an independent federal agency charged with investigating industrial chemical accidents. The agency's board members are appointed by the President and confirmed by the Senate. CSB investigations look into all aspects of chemical accidents, including physical causes such as equipment failure as well as inadequacies in regulations, industry standards, and safety management systems.

The Board does not issue citations or fines but does make safety recommendations to plants, industry organizations, labor groups, and regulatory agencies such as OSHA and EPA.

Public Comment

Members of the public are invited to make brief statements to the Board at the conclusion of the staff presentation. The time provided for public statements will depend upon the number of people who wish to speak. Speakers should assume that their presentations will be limited to five minutes or less, but commenters may submit written statements for the record.

Contact Person for Further Information

Hillary J. Cohen, Communications Manager, *hillary.cohen@csb.gov* or (202) 446–8094. General information about the CSB can be found on the agency Web site at: *www.csb.gov.*

Dated: June 12, 2014.

Rafael Moure-Eraso,

Chairperson.

[FR Doc. 2014–14171 Filed 6–12–14; 4:15 pm]

BILLING CODE 6350–01–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 of 1995.

Agency: U.S. Census Bureau.

Title: Information and Communication Technology Survey.

OMB Control Number: 0607–0909.

Form Number(s): ICT–1(S), ICT–1(M), ICT–1(L).

Type of Request: Extension of a currently approved collection.

Burden Hours: 79,286.

Number of Respondents: 45,000.

Average Hours per Response: 1.76 hours.

Needs and Uses: Economic policymakers are concerned about the lack of available data related to e-business infrastructure investment. Such data are critical for evaluating productivity growth, changes in industrial capacity, and current economic developments. Rapid advances in Information and Communication Technology (ICT) equipment have resulted in these assets having short useful lives and being replaced faster than other types of equipment. Companies are expensing the full cost of such assets during the current annual period rather than capitalizing the value of such assets and expensing the cost over two or more years. In some cases this is due not only to the short useful life of the asset, but also to the fact that companies have varying dollar levels for capitalization.

The Annual Capital Expenditures Survey (ACES) (OMB Project 0607–0782) currently collects summary data on business capital expenditures annually and detailed data on types of structures and equipment every five years. The fact that the ACES program does not include non-capitalized expenditures for e-business infrastructure and infrequently collects detailed data on types of structures and equipment creates serious data gaps. To fill these gaps and as a supplement to the ACES survey, the Census Bureau created the Information and Communication Technology Survey (ICTS). The ICTS uses the ACES sampling, follow-up and estimation methodologies including mailing to the same employer companies.

Data users tell us that they need comprehensive and consistent data on investment by all private non-farm businesses in capitalized and non-capitalized ICT equipment and software. The objectives of the ICTS are:

(a) To provide estimates of capitalized and non-capitalized ICT equipment expenditures for all private non-farm sectors of the economy at 3-digit and selected 4-digit North American Industry Classification System (NAICS) levels;

(b) to base the survey on a probability sample that yields measures of statistical reliability of the survey estimates;

(c) to produce annual enterprise-level data with the level of detail, coverage, and quality which was previously unavailable;

(d) to provide detailed data on capitalized and non-capitalized ICT expenditures for estimating the national income and product accounts, estimating the productivity of U.S. industries, evaluating fiscal and monetary policy, and conducting research using capitalized and non-capitalized expenditures data; and

(e) to provide industry analysts with necessary data for market analysis, economic forecasting, product development, and business planning.

This request is for continuation of a currently approved collection and will cover the 2013 through 2015 ICTS (conducted in fiscal years 2014 through 2016). Due to budgetary constraints in 2013, the Census Bureau suspended the 2012 ICTS. However, funds were appropriated for fiscal year 2014 allowing the Census Bureau to reinstate the ICTS for the 2013 survey year.

We will collect and publish data based on the 2012 NAICS. Industries in the survey will comprise 3-digit and selected 4-digit 2012 NAICS codes.

The annual ICTS collects data on two categories of non-capitalized expenses (purchases; and operating leases and rental payments), for four types of information and communication technology equipment and software (computers and peripheral equipment; ICT equipment, excluding computers and peripherals; electromedical and electrotherapeutic apparatus; and computer software, including payroll associated with software development). The survey also collects capital expenditures data on the four types of ICT equipment and software cited above.

In prior ICTS data collection, the Census Bureau used mail out/mail back survey forms to collect data. Employer companies were able to respond via Centurion (the Census Bureau's online reporting system), by mail, or by using our toll-free number to reply via secure facsimile machine. We asked companies to respond to the survey within 30 days of the initial mailing. If companies did not respond by the designated time, they received letters and/or telephone calls encouraging participation.

For the 2013 ICTS data collection, the Census Bureau will rely primarily on electronic reporting. Employer

companies will receive a mailed notification letter containing their User ID and password, and directed to respond via Centurion through the Census Bureau's Business Help Site. The online reporting instrument is an electronic version of the paper data collection instrument, and based on the company's diversity of operations and number of industries with payroll. Companies operating in only one industry will access an ICT–1(S) form or electronic instrument. These companies will not be asked to report ICT expenditures by industry, this will eliminate the need for industry self coding. Companies operating in more than one, but less than nine industries will access an ICT–1(M) form or electronic instrument. Companies that operate in nine or more industries will access an ICT–1(L) form or electronic instrument. Companies will be able to print the form through online services or request a paper form by mail.

The Census Bureau will continue to ask companies to respond to the survey within 30 days. Reminder letters and/or telephone calls encouraging participation will continue to go to all companies that have not responded by the designated time.

For the 2014 and 2015 ICTS data collection, the Census Bureau will determine whether to use the same data collection strategy based upon the electronic response rate for the 2013 ICTS.

The ICTS is an important part of the Federal Government's effort to improve and supplement ongoing statistical programs. The Bureau of Economic Analysis (BEA), Federal Reserve Board, Bureau of Labor Statistics and industry analysts use these data to evaluate productivity and economic growth prospects. In addition, the ICTS provides improved source data significant to BEA's estimate of the investment component of Gross Domestic Product, capital stock estimates, and capital flow tables. Other Federal agencies, private industry organizations, and academic researchers use the survey results for analyzing and studying past and current economic performance, short-term economic forecasts, productivity, long-term economic growth, tax policy, capacity utilization, business fixed capital stocks and capital formation, international competitiveness and competitiveness and trade policy, market research, and financial analysis.

Affected Public: Business or other for-profit, Not-for-profit institutions.

Frequency: Annually.

Respondent's Obligation: Mandatory.

Legal Authority: The Census Bureau conducts this survey under the authority of Title 13 of the United States Code, Sections 131 and 182. Sections 224 and 225 make the survey mandatory.

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 *www.OIRA Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: June 10, 2014.

Glenna Mickelson,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–13884 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Proposed Information Collection; Comment Request; Revolving Loan Fund Reporting and Compliance Requirements

AGENCY: Economic Development 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 15, 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: Philip Saputo, Program Analyst, U.S. Department of Commerce, Economic Development Administration Performance and National Programs Division, 1401 Constitution Avenue NW., Suite 71030, Washington, DC 20230, Phone: 202–400–0662, Email: *PSaputo@eda.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The mission of the Economic Development Administration (EDA) is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. One of EDA's economic development tools is the Revolving Loan Fund (RLF) program. Under the RLF program, EDA's regional offices award competitive grants to units of state and local government, institutions of higher education, public or private non-profit organizations, EDA-approved economic development district organizations, and Indian Tribes to establish RLFs. Following grant award, an RLF grantee disburses money from the RLF to make loans at interest rates that are at or below the current market rate to small businesses or to businesses that cannot otherwise borrow capital. On occasion, RLFs also make loans to finance public infrastructure. As the loans are repaid, the grantee uses a portion of interest earned to pay administrative expenses and adds the remaining principal and interest repayments to the RLF's capital base to make new loans. An RLF award that is well managed is actively used to make loans to eligible businesses and entities, continues to revolve funds, and does not have a termination date.

One of the unique features of the program is that, by law, EDA must exercise fiduciary responsibility over its RLF portfolio in perpetuity—a significant challenge since many RLF grants date back to 1979. EDA's regulations therefore require EDA RLF grantees to submit an ED–209, Semi-annual Report to EDA, every six months for each RLF they operate. In addition, EDA RLF grantees must submit an ED–209I, RLF Income and Expense Statement, if either of the following conditions applies to their RLF: (a) Total administrative expenses for the 6-month period exceed $100,000, or (b) administrative expenses for the 6-month period exceed 50 percent of RLF income for the 6-month period. EDA requires that both of these reports be completed using EDA authorized and provided, standardized, auto calculable Fillable PDF (Portable Document Format) Forms, instead of using the web-based electronic reporting system previously available, known as Revolving Loan Fund Management System (RLFMS). As of January 24, 2012, EDA terminated network services, including RLFMS, in response to a significant information technology security incident and has suspended use of RLFMS and will use a digital fillable PDF of the ED–209 and

ED–209I in lieu of the RLFMS web based ED–209 and ED209I.

II. Method of Collection

Electronically via use of standardized auto calculable PDF forms, provided by the EDA and sent via email.

III. Data

OMB Control Number: 0610–0095.

Form Number(s): ED–209 and ED–209I.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Not for-profit institutions; state or local governments.

Estimated Number of Respondents: 1,460.

Estimated Time per Response: ED–209, 3 hours; and ED–209I, 1 hour.

Estimated Total Annual Burden Hours: 3,796.

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 10, 2014.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–13938 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–24–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket B–26–2014]

Foreign-Trade Zone (FTZ) 39—Dallas-Fort Worth, Texas Application for Production Authority; CSI Calendering, Inc. (Rubber Coated Textile Fabric); Comment Period on Submission of New Evidence

On March 18, 2014, an application was submitted by the Dallas/Fort Worth International Airport Board, grantee of FTZ 39, requesting production authority on behalf of CSI Calendering, Inc. (CSI), located in Arlington, Texas. The proposed activity involves calendering, slitting, and laminating of certain RFL (resorcinol formaldehyde latex) textile fabrics (79 FR 16278–16279, 3–25–2014). Comments on the proposal were submitted by interested parties on May 27, 2014. Currently, the FTZ Board is inviting public comment on new evidence provided by CSI as part of its rebuttal comments submitted on June 6, 2014, on which there has not been an opportunity for public comment.

The comment period on CSI's June 6 submission is open through July 16, 2014. Submissions shall be addressed to the FTZ Board's Executive Secretary at the following address: Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230–0002.

A copy of CSI's June 6, 2014, submission will be available for public inspection at the address above, 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 9, 2014.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2014–14062 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–916]

Laminated Woven Sacks From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012–2013

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

SUMMARY: On February 27, 2014, the Department of Commerce (the ''Department'') published the *Preliminary Results* [1] of the 2012–2013 administrative review of the antidumping duty order on laminated woven sacks (''sacks'') from the People's Republic of China (''PRC''). The period of review (''POR'') is August 1, 2012, through July 31, 2013. We gave interested parties an opportunity to comment on the *Preliminary Results,* but we received none. The final weighted-average dumping margin for the PRC-wide entity is listed in the ''Final Results of Review'' section below.

DATES: *Effective Date:* June 16, 2014.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6905.

SUPPLEMENTARY INFORMATION:

Background

We received no comments from interested parties on our *Preliminary Results* which published on February 27, 2014. The Department conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (''the Act'').

Scope of the Order

The merchandise covered by the order is laminated woven sacks. Laminated woven sacks are bags or sacks consisting of one or more plies of fabric consisting of woven polypropylene strip and/or woven polyethylene strip, regardless of the width of the strip; with or without an extrusion coating of polypropylene and/or polyethylene on one or both sides of the fabric; laminated by any method either to an exterior ply of plastic film such as biaxially-oriented polypropylene (''BOPP'') or to an exterior ply of paper that is suitable for high quality print graphics; [2] printed with three colors or more in register; with or without lining; whether or not closed on one end; whether or not in roll form (including sheets, lay-flat

[1] *See Laminated Woven Sacks From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2012–2013,* 79 FR 11075 (February 27, 2014) (''*Preliminary Results*'').

[2] ''Paper suitable for high quality print graphics,'' as used herein, means paper having an ISO brightness of 82 or higher and a Sheffield Smoothness of 250 or less. Coated free sheet is an example of a paper suitable for high quality print graphics.

tubing, and sleeves); with or without handles; with or without special closing features; not exceeding one kilogram in weight. Laminated woven sacks are typically used for retail packaging of consumer goods such as pet foods and bird seed.

Effective July 1, 2007, laminated woven sacks are classifiable under Harmonized Tariff Schedule of the United States (''HTSUS'') subheadings 6305.33.0050 and 6305.33.0080. Laminated woven sacks were previously classifiable under HTSUS subheading 6305.33.0020. If entered with plastic coating on both sides of the fabric consisting of woven polypropylene strip and/or woven polyethylene strip, laminated woven sacks may be classifiable under HTSUS subheadings 3923.21.0080, 3923.21.0095, and 3923.29.0000. If entered not closed on one end or in roll form (including sheets, lay-flat tubing, and sleeves), laminated woven sacks may be classifiable under other HTSUS subheadings including 3917.39.0050, 3921.90.1100, 3921.90.1500, and 5903.90.2500. If the polypropylene strips and/or polyethylene strips making up the fabric measure more than 5 millimeters in width, laminated woven sacks may be classifiable under other HTSUS subheadings including 4601.99.0500, 4601.99.9000, and 4602.90.0000. Although HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Preliminary Results

Upon initiation of the administrative review, we provided the opportunity for all companies upon which the review was initiated to submit either a ''no shipment'' certification or the separate rate application or certification.[3] Of the nine companies under review, three companies had a separate rate from a prior segment[4] but did not file a ''no shipment'' certification or a separate rate certification on the record of this review.[5] Consequently, these three companies have not provided any documentation supporting their continued eligibility for a separate rate. Thus, we now consider them to be part of the PRC-wide entity, pursuant to our practice.[6] The other six companies under review in this segment did not have a separate rate from a prior segment of the proceeding. Because these companies neither established their eligibility for a separate rate through a separate rate application nor filed ''no shipment'' certifications, the Department will continue to treat these six companies as part of the PRC-wide entity.[7]

PRC-Wide Entity Rate

In the *Preliminary Results,* we stated that the Department conducted a proceeding pursuant to section 129 of the Uruguay Round Agreements Act (''URAA'') regarding the antidumping and countervailing duty investigations of laminated woven sacks.[8] Based on certain adjustments pursuant to section 777A(f) of the Act, the Department revised the PRC-wide entity rate from 91.73 percent, the only rate ever determined for the PRC-wide entity in this proceeding[9] to 47.64 percent.[10] Consequently, in these final results, we are assigning a rate of 47.64 percent, as revised in the *Section 129 Implementation,* to the PRC-wide entity, which includes all nine companies initiated for review.

Final Results of Review

The Department determines that the following dumping margin exists for the period August 1, 2012, through July 31, 2013:

Exporter	Margin (percent)
PRC-Wide Entity[11]	47.64

Assessment

Upon issuance of the final results, the Department will 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 review. The Department recently announced a refinement to its assessment practice in non-market economy (''NME'') cases.[12] Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the NME-wide rate. In addition, if the Department determines that an 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

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation, in Part,* 78 FR 60834, 60836 (October 2, 2013).

[4] These three companies are: Cangnan Color Make the Bag, Jiangsu Hotsun Plastics, and Polywell Industrial Co. We note that these three companies received their separate rates in the underlying investigation and have not been under review since the investigation. *See Laminated Woven Sacks from the People's Republic of China: Final Determination of Sales at Less Than Fair Value and Partial Affirmative Determination of Critical Circumstances,* 73 FR 35646, 35648 (June 24, 2008).

[5] The Department notes that a company's eligibility for a separate rate necessarily requires reviewable entries from that company during the relevant period. *See Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review, 2011–2012,* 78 FR 56211 (September 12, 2013) and accompanying Issues and Decision Memorandum at Comment 11, where the Department stated that ''a company that did not export subject merchandise to the United States during the relevant period is likewise not eligible for a separate rate, because it has no reviewable POR entries and, thus, is not subject to the review (including the determination of a separate rate status);'' *see also Policy Bulletin 5.1: Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries,* dated April 5, 2005 found at: *http://enforcement.trade.gov/policy/bull05-1.pdf; see also* Separate Rate Certification at page 2; found at: *http://enforcement.trade.gov/nme/sep-rate-files/20121031/srv-sr-cert-20121031.pdf.*

[6] *See, e.g., Honey From the People's Republic of China: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2011–2012,* 78 FR 38941 (June 28, 2013) and accompanying Preliminary Decision Memorandum at page 3 (''*Honey 2011–2012 Preliminary Results''*) (''during the review, Dongtai Peak did not file a separate rate application or certification, nor did it file a no shipments certification. Accordingly, because Dongtai Peak did not demonstrate its eligibility for a separate rate, the Department will preliminarily treat Dongtai Peak as part of the PRC-wide Entity.''), unchanged in *Honey From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011–2012* (''*Honey 2011–2012 Final Results''*), 78 FR 56860 (September 16, 2013); *see also Steel Wire Garment Hangers From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and New Shipper Review; 2011–2012,* 78 FR 70271, 70272 (November 25, 2013).

[7] *See, e.g., Honey 2011–2012 Preliminary Results* and accompanying Preliminary Decision Memorandum at 3, unchanged in *Honey 2011–2012 Final Results,* 78 FR at 56860.

[8] *See Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act: Certain New Pneumatic Off-the-Road Tires; Circular Welded Carbon Quality Steel Pipe; Laminated Woven Sacks; and Light-Walled Rectangular Pipe and Tube From the People's Republic of China,* 77 FR 52683 (August 30, 2012) (''*Section 129 Implementation''*).

[9] *See, e.g., Laminated Woven Sacks From the People's Republic of China: Final Results of First Antidumping Duty Administrative Review,* 76 FR 14906 (March 18, 2011).

[10] *See Section 129 Implementation,* 77 FR at 52687–52688; *see also Laminated Woven Sacks From the People's Republic of China: Final Results of Expedited First Sunset Review of the Antidumping Duty Order,* 78 FR 64472 (October 29, 2013).

[11] The PRC-Wide Entity includes: Cangnan Color Make the Bag; Han Shing Corporation Limited; Jiangsu Hotsun Plastics; Ningbo Yong Feng Packaging Co., Ltd.; Polywell Industrial Co.; Shandong Qilu Plastic Fabric Group, Ltd.; Shandong Shouguang Jianyuanchun Co.; Shandong Youlian Subian Co. Ltd.; and Zibo Aifudi Plastic Packaging Co., Ltd.

[12] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011).

exporter's rate) will be liquidated at the NME-wide rate.[13]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (2) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 47.64 percent; and (3) 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 exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notifications

This notice serves as a final 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 POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to the administrative protective order (''APO'') of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results and this notice in accordance with sections 751(a)(1) and 777(i) of the Act.

[13] *See id.*

Dated: June 10, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014–14061 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

U.S. Education Mission to Central America; March 16–19, 2015

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice.

Mission Description

The United States Department of Commerce, International Trade Administration, is organizing an education mission to El Salvador and Honduras with an optional stop to Nicaragua. Department of Commerce is partnering with the Department of State's EducationUSA Advising Centers. This trade mission is designed to be led by a senior Department of Commerce official and the emphasis will be on U.S. higher education, focusing on, in order of importance, intensive English language programs, community colleges, summer, undergraduate and graduate programs. Summer programs seeking to participate should be appropriately accredited by an accreditation body recognized by the U.S. Department of Education. Intensive English language programs seeking to participate should be accredited by the Commission on English Language Programs Accreditation (CEA) or appropriately accredited by an accreditation body recognized by the U.S. Department of Education. Community colleges, undergraduate and graduate programs seeking to participate should be accredited by a recognized accreditation body listed in Council for Higher Education Accreditation (CHEA) or Accrediting Council for Education and Training (ACCET), in the Association of Specialized and Professional Accreditors (ASPA), or any accrediting body recognized by the U.S. Department of Education.

This mission will seek to connect U.S. higher education institutions to potential students and university/institution partners in Central America. The mission will include student fairs organized by EducationUSA, embassy briefings, site visits, and networking events. San Salvador, Santa Ana, Tegucigalpa, and Managua, are four of the top cities for recruiting students from Central America to the United States. Participating in the Education Mission, rather than traveling to these markets independently, will enhance the participants ability to secure appropriate meetings, especially in light of the high level engagement and support of U.S. education by the U.S. ambassadors in El Salvador and Honduras.

Commercial Setting

There are several types of opportunities in Central America for U.S. English as a Second Language programs, summer programs, community colleges, and U.S. universities offering undergraduate as well as graduate programs.

In March 2011, President Obama launched ''100,000 Strong in the Americas'' to increase educational exchanges in the Western Hemisphere. Enhancing education is a key driver in improving socioeconomic indicators in the region. ''100,000 Strong'' bridges the critical relationship between broader educational opportunity and greater regional prosperity. Expanding study abroad opportunities for students, our future leaders and innovators, strengthens bi-national relations and better prepares young people for the 21st century global workforce. The goal of this initiative is to have 100,000 students moving in each direction annually by 2020. Currently, 45,000 U.S. students study in Latin America and the Caribbean and 68,000 Latin American and Caribbean students study in the United States each year. The initiative seeks to more than double these numbers in less than ten years.[1]

The Western Hemisphere represents a thriving market of nearly one billion people. Approximately 40 percent of U.S. exports go to our Latin American and Caribbean neighbors, and Latin American exports to the United States are even higher. The middle class in Latin America has grown by 50 million in the last decade alone. President Obama believes that the Americas can become the most competitive region in the world. To accomplish this goal, we need to develop the skills to reach across borders to new markets, research, and opportunities.

The mission supports the Administration's Look South initiative, which encourages companies to explore opportunities in the United States' 11 free trade agreement partner countries in Latin America. Education services are in high demand throughout these

[1] U.S. Department of State, *100,000 Strong in the Americas, http://www.state.gov/p/wha/rls/fs/2013/214201.htm.*

growing and diversifying economies, which include El Salvador, Honduras, and Nicaragua.

The United States has long been a top destination for students looking to study abroad from El Salvador, Honduras, and Nicaragua. Since 2006, the United States has seen an increase in the number of Central American students. There are some 3,119 students currently studying in the United States from these three markets (1,172 Salvadoran, 1,513 Honduran, and 434 Nicaraguan students), an average 21.5 percent annual increase in the number of students from these three markets since 2006. The majority of the students from these three markets currently studying in the United States are undergraduate students (undergraduates make up 76.6 percent of Salvadoran students, 68.9 percent of Honduran students, and 62.4 percent Nicaraguan students). The top choice institutions for these undergraduate students are public 2 year community colleges.[2]

The first stop on the mission itinerary is San Salvador, the capital city of El Salvador. This visit will give the delegates an opportunity to directly interact with officials from the Government of El Salvador regarding education opportunities. El Salvador is a country known for its universities: Some of the best universities of the world are situated in this Central American country. The universities of El Salvador prepare their students not only academically, but also for a successful professional future. Some of the important and popular universities of El Salvador are: University of El Salvador, Universdad Politecnica de El Salvador, Universidad del Salvador, Universidad Catolica de Occidente, Universidad Luterana Salvadorena, and Universidad Albert Einstein.[3] K–12 schools in El Salvador, recognized by the Department of State, are Colegio Internacional del Salvador (CISS), Escuela Americana, and Academia Británica (ABC).[4]

CS El Salvador will organize meetings with appropriate Salvadoran government officials, an embassy reception, visits to local bilingual high schools, and a student fair.

After El Salvador, the group will travel to Honduras. The highest rate of enrollment in secondary schools is found in Honduras compared to El Salvador, Guatemala, and Nicaragua.[5] The universities in Honduras are leaders in terms of education and research in Central America. Honduras also has the highest number of students enrolling in Intensive English.[6] CS Honduras will arrange for mission participants to participate in student recruitment fairs, high school visits and optional one-on-one meetings.

Finally, the delegation will have the option to participate in a stop in Nicaragua, the largest country in Central America, to participate in a student recruitment fair and site visits to American and other bilingual high schools for presentations. In Nicaragua, families have a long history of sending their children overseas to obtain further education.[7]

Mission Goals

The goals of the United States Education Mission to Central America are: (1) To help participants gain market exposure and to introduce participants to the vibrant Central American market in the cities of San Salvador, Tegucigalpa, Santa Ana, and Managua; (2) to help participants assess current and future business prospects by establishing valuable contacts with prospective students and educational institutions/partners; and (3) to help participants develop market knowledge and relationships leading to student recruitment and potential partnerships.

Mission Scenario

Participation in the mission will include the following:

- Pre-travel briefings/webinars
- Embassy/consulate and industry briefings
- Reception with Ambassador (if available)
- Student Fairs and local visits organized by EducationUSA in San Salvador, Santa Ana, and Tegucigalpa
- Airport transfers
- Optional Third stop in Managua, Nicaragua with student fair organized by EducationUSA and presentations.

Proposed Mission Schedule—March 16 to 21, 2015

El Salvador—March 15–17, 2015

Sunday, March 15, 2015
—Arrive in San Salvador
—Check into hotel

Monday, March 16, 2015 San Salvador
9:00 a.m. Briefing with U.S. and Foreign Commercial Service and Public Affairs (possible welcome remarks by Ambassador/DCM; topics trends in education, country overview, etc.)
10:30 a.m. One-on-One meetings
12:30 p.m. Visit to schools (tentative)
2:00 p.m. Lunch
4:00 p.m. Presentations (Student visa, 2+2 program, financial aid, etc.) Audience includes students and parents.
6:00 p.m. Education Fair (expected attendees 500 students and parents)
8:00 p.m. End of fair

Tuesday, March 17, 2015
9:00 a.m. Depart San Salvador to Santa Ana
11:00 a.m. Visit schools
12:00 p.m. Lunch
2:00 p.m. Presentations (Student visa, 2+2 program, financial aid, etc.) Audience includes students and parents.
3:00 p.m. Education Fair
6:00 p.m. Return to San Salvador

Tegucigalpa, Honduras—Wednesday, March 18, 2015

—Depart to Tegucigalpa
—Arrive in Tegucigalpa
—Check into hotel
—Embassy Briefing and Lunch with U.S. and Foreign Commercial Service and Public Affairs
—Presentations
—Education Fair

Thursday, March 19, 2015
—Networking breakfast with local schools
—One-on-One meetings
—Depart to Nicaragua for optional stop or return to the United States on own itinerary
Official Trade Mission Ends

Managua, Nicaragua (OPTIONAL)

Friday, March 20, 2015
—Breakfast Briefing with U.S. and Foreign Commercial Service and Public Affairs
—Education Fair at the North American Cultural Center of Nicaragua (CCNN)
—Presentation to companies in the Private Sector on Workforce Development opportunities
—Presentation to Schools

Saturday, March 21, 2015

[2] *Open Doors 2013: Country Overview—El Salvador, Honduras, and Nicaragua* published annually by IIE with support from the U.S. Department of State's Bureau of Educational and Cultural Affairs,

[3] *Maps of the World: Education in El Salvador, http://www.mapsofworld.com/el-salvador/education/.*

[4] U.S. Department of State, *Western Hemisphere, http://www.state.gov/m/a/os/c58262.htm.*

[5] The World Bank: *Data: Secondary School Enrollment. http://data.worldbank.org/indicator/SE.SEC.ENRR.*

[6] *Open Doors 2012: Intensive English Programs: All Places of Origin* published annually by IIE with support from the U.S. Department of State's Bureau of Educational and Cultural Affairs. *http://www.iie.org/Research-and-Publications/Open-Doors/Data/Intensive-English-Programs/All-Places-of-Origin/2012.*

[7] *Maps of the World: Education in Nicaragua, http://www.mapsofworld.com/nicaragua/education/.*

—Departure to USA

Participation Requirements

All parties interested in participating in the mission to Central America must submit a complete application package for consideration to the U.S. Department of Commerce. All applicants will be evaluated on their ability to meet certain conditions and best satisfy the selection criteria as outlined below. The mission will open on a rolling basis to a minimum of 12 and a maximum of 15 appropriately accredited U.S. educational institutions. Both, U.S. educational institutions already recruiting students and developing partnerships in the region and those who are new to recruiting and developing partnerships in the region may apply.

Selection Criteria for Participation

- Consistency of the applicant's goals and objectives with the stated scope of the mission.
- Applicant's potential for doing business in Central America, including the likelihood of service exports (education)/knowledge transfer resulting from the mission.

Additional factors, such as diversity of institution size, type, location, and demographics, may also be considered during the review process.

Referrals from political organizations and any documents containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and will not be considered during the selection process.

Conditions for Participation

An applicant must submit a timely, completed and signed mission application and supplemental application materials, including adequate information on course offerings, primary market objectives, and goals for participation. The institution must have appropriate accreditation as specified per paragraph one above. The institution must be represented at the student fair by an employee. No agents will be allowed to represent a school on the mission or participate at the student fair. Agents will also not be allowed into the fairs to solicit new partnerships. If the Department of Commerce receives an incomplete application, the Department may reject the application, request additional information, or take the lack of information into account when evaluating the applications.

Participants must travel to both stops in El Salvador and Honduras on the mission. Nicaragua is the only optional stop.

Each applicant must certify that the services it seeks to export through the mission are either produced in the United States, or, if not, marketed under the name of a U.S. firm and have at least 51 percent U.S. content of the value of the service.

Fees and Expenses

After an institution has been selected to participate on the mission, a payment to the Department of Commerce in the form of a participation fee is required. The participation fee is $2,208 for one principal representative from each non-profit educational institution or educational institution with less than 500 employees and $2,612 for for-profit universities with over 500 employees.[8] An institution can choose to participate in the optional stop in Nicaragua for an additional $1,123 for one principal representative from each non-profit educational institution or educational institution with less than 500 employees and $1,350 for for-profit universities with over 500 employees. The fee for each additional representative is $500. Expenses for lodging, some meals, incidentals, and all travel (except for transportation to and from airports in-country, previously noted) will be the responsibility of each mission participant. The U.S. Department of Commerce can facilitate government rates in some hotels.

Timeframe for Recruitment and Applications

Mission recruitment will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the Commerce Department trade mission calendar (*http://export.gov/industry/education/*) and other Internet Web sites, press releases to general and trade media, direct mail, notices by industry trade associations and other multiplier groups, and publicity at industry meetings, symposia, conferences, and trade shows. Recruitment for the mission will begin immediately and conclude no later than January 15, 2015. Applications for the mission will be accepted on a rolling basis. Applications received after January 15, 2015, will be considered only if space and scheduling constraints permit.

[8] An SME is defined as a firm with 500 or fewer employees or that otherwise qualifies as a small business under SBA regulations (see *http://www.sba.gov/services/contracting opportunities/sizestandardstopics/index.html*). Parent companies, affiliates, and subsidiaries will be considered when determining business size. Non-profit educational institutions will be considered SMEs for purposes of this guidance. The dual pricing reflects the Commercial Service's user fee schedule that became effective May 1, 2008 (see *http://www.export.gov/newsletter/march2008/initiatives.html* for additional information).

Contact Information

U.S. and Foreign Commercial Service in Central America:

U.S. Export Assistance Center:

Gabriela Zelaya, Silicon Valley USEAC, Tel: 408–535–2757, ext. 107, Email: *gabriela.zelaya@trade.gov.*

Laura Gimenez, Commercial Officer, El Salvador, Tel: (011–503) 2501–3221, Email: *laura.gimenez@trade.gov.*

Aileen Nandi, Commercial Officer, El Salvador, Tel: (408) 535–2757, ext. 102, Email: *aileen.nandi@trade.gov.*

Sara Moreno, Lexington USEAC, Tel: 859–225–7001, Email: *sara.moreno@trade.gov.*

Elnora Moye,

Trade Program Assistant.

[FR Doc. 2014–13911 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RIN 0648–XD295]

Fisheries of the South Atlantic; Southeast Data, Assessment and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR Procedural Workshop 7: South Atlantic shrimp data evaluation.

SUMMARY: The SEDAR Procedural Workshop 7 will evaluate the shrimp data in the South Atlantic. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR Procedural Workshop 7 will be held on July 22, 2014, from 9 a.m. until 6 p.m.; July 23, 2014, from 8 a.m. until 6 p.m.; and July 24, 2014, from 8 a.m. until 3 p.m. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from, or completed prior to the time established by this notice.

ADDRESSES:

Meeting Address: The SEDAR Procedural Workshop 7 will be held at the Crowne Plaza Hotel, 4831 Tanger Outlet Boulevard, North Charleston, SC 29418; telephone: (843) 744–4422.

SEDAR Address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julia Byrd, SEDAR Coordinator; telephone: (843) 571–4366; email: *julia.byrd@safmc.net.*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three step process including: (1) Data Workshop; (2) Assessment Process utilizing workshops and webinars; and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, the Atlantic and Gulf States Marine Fisheries Commissions and NOAA Fisheries Southeast Regional Office and Southeast Fisheries Science Center. Participants include: Data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and non-governmental organizations (NGOs); international experts; and staff of Councils, Commissions, and state and federal agencies.

SEDAR also coordinates procedural workshops which provide an opportunity for focused discussion and deliberation on topics that arise in multiple assessments. They are structured to develop best practices for addressing common issues across assessments. The seventh procedural workshop will provide a review and evaluation of shrimp data from the South Atlantic.

Workshop objectives include creating an inventory of Penaeid shrimp data in the South Atlantic and Gulf of Mexico; reviewing potential shrimp stock assessment approaches and shrimp fishery bycatch estimation methods and their respective data requirements; and providing best practice recommendations for estimating finfish bycatch for the South Atlantic shrimp fishery and for estimating population and management parameters of South Atlantic shrimp resources.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to the SEDAR office (see **ADDRESSES**) at least 10 business days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 11, 2014.

William D. Chappell,

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

[FR Doc. 2014–14014 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RIN 0648–XD328]

Caribbean Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Caribbean Fishery Management Council's (CFMC) Outreach and Education Advisory Panel (OEAP) will meet.

DATES: The meeting will be held on July 15, 2014, from 9 a.m. to 5 p.m.

ADDRESSES: The meeting will be held at CFMC Office, 270 Muñoz Rivera Avenue, Suite 401 San Juan, Puerto Rico 00918.

FOR FURTHER INFORMATION CONTACT: Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918; telephone: (787) 766–5926.

SUPPLEMENTARY INFORMATION: The OEAP will meet to discuss the items contained in the following agenda:

—Call to Order
—Adoption of Agenda
—OEAP Chairperson's Report
—Status of:
  —Newsletter
  —Web site
  —2015 Calendar
  —CFMC Brochure
  —USVI Activities: Marine Outreach & Education USVI Style
  —Development of Visual Aids to Identify Changes in the Essential Fish Habitat of some Species in FMPs Management Units
  —Marine Resources Education Program—Puerto Rico
—Other Business

The OEAP meeting will convene on July 15, 2014, from 9 a.m. until 5 p.m.

The meeting is open to the public, and will be conducted in English. Fishers and other interested persons are invited to attend and participate with oral or written statements regarding agenda issues.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. For more information or request for sign language interpretation and/other auxiliary aids, please contact Mr. Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918, telephone (787) 766–5926, at least 5 days prior to the meeting date.

Dated: June 11, 2014.

William D. Chappell,

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

[FR Doc. 2014–14015 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

[Docket No. PTO–P–2014–0032]

Request for Comments on Virtual Marking

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Request for comments.

SUMMARY: The United States Patent and Trademark Office (USPTO) is seeking public comment on virtual marking, which was provided for by the Leahy-Smith America Invents Act (AIA) as an alternative to physically marking patented articles as a means to provide notice to the public that such articles are subject to patent protection.

The AIA requires that the Director of the USPTO prepare, not later than three years from the date of enactment of the AIA, a report of: The effectiveness of virtual marking as an alternative to the physical marking of articles; whether such virtual marking has limited or improved the ability of the general public to access information about patents; and any legal issues or deficiencies that arise from such virtual marking.

DATES: To be assured of consideration, written comments must be received on or before July 16, 2014.

ADDRESSES: Written comments should be sent by email to *virtualmarking@uspto.gov.* Comments also may be submitted by postal mail addressed to: Mail Stop OPIA, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450, ATTN: Soma Saha. Although comments may be submitted by postal mail, the USPTO prefers to receive comments via email.

Comments will be made publicly available after the comment period via the USPTO Internet Web site (address: *http://www.uspto.gov*). As such, information that is not desired to be made public, such as an address or telephone number, should not be included in the comments. The USPTO does not intend to respond to individual comments.

FOR FURTHER INFORMATION CONTACT: Soma Saha or Marina Lamm at the Office of Policy and International Affairs, by telephone at (571) 272–9300, by email at *virtualmarking@uspto.gov*, or by postal mail addressed to: Mail Stop OPIA, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450, ATTN: Soma Saha.

SUPPLEMENTARY INFORMATION: United States patent law provides that marking a product with a patent number gives the public notice of a patent. Under 35 U.S.C. 287(a), if a patented product is not marked with the patent number by the patent owner, damages for infringement will be limited to the time period after the patent owner gives actual notice to an alleged infringer.

Section 16 of the AIA provides a new way to comply with the requirements for patent marking by allowing patentees to mark their products virtually rather than physically. Instead of printing the actual patent number on the product, businesses can display the term ''patent'' or ''pat.'' along with an accompanying URL address of a Web site where the actual patent number will be located.

Section 16 of the AIA also requires the Director of the USPTO to prepare a report for Congress analyzing:

(A) The effectiveness of ''virtual marking'' as an alternative to the physical marking of articles;

(B) whether such virtual marking has limited or improved the ability of the general public to access information about patents;

(C) the legal issues, if any, that arise from such virtual marking; and

(D) the deficiencies, if any, of such virtual marking.

The report is due to Congress not later than three years after the date of enactment of the AIA, which is September 16, 2014.

Interested members of the public are invited to submit written comments they deem relevant to the above-mentioned issues. The USPTO would particularly welcome observations and comments on any of the following topics:

1. Experiences with creating and maintaining adequate and effective virtual marking Web sites;
2. effectiveness of virtual marking, including experiences using virtual marking Web sites to locate relevant patent information;
3. challenges presented by virtual marking in providing sufficient notice to the public, including sufficiently associating patent numbers with the corresponding product within the virtual marking Web site;
4. economic impacts of virtual marking, including costs differences between physical marking and virtual marking;
5. advantages and disadvantages of virtual marking in comparison with physical marking;
6. identification of other practical or legal concerns with virtual marking; and
7. any other issues or experiences regarding virtual marking.

Commenters are requested to include information identifying how they are impacted by virtual marking, e.g., whether they are patent owners, licensees, or any other type of user, business, or manufacturer.

Dated: June 11, 2014.

Michelle K. Lee,

Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.

[FR Doc. 2014–14044 Filed 6–13–14; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Comprehensive Autism Care Demonstration

AGENCY: Department of Defense.

ACTION: Notice of a comprehensive demonstration project for all Applied Behavior Analysis (ABA), including the tiered-model of ABA, for all TRICARE beneficiaries with Autism Spectrum Disorder (ASD).

SUMMARY: This notice is to advise interested parties of a Military Health System (MHS) demonstration project entitled Comprehensive Autism Care Demonstration (''Autism Care Demonstration''). The purpose of the Autism Care Demonstration is to further analyze and evaluate the appropriateness of the ABA tiered-delivery model under TRICARE in light of current and anticipated Behavior Analyst Certification Board (BCBA) Guidelines. Currently, there are no established uniform ABA coverage standards in the United States. Therefore, the demonstration seeks to determine the appropriate provider qualifications for the proper diagnosis of ASD and the provision of ABA, assess the feasibility and advisability of establishing a beneficiary cost share for the treatment of ASD, and develop more efficient and appropriate means of increasing access and delivering ABA services under TRICARE while creating a viable economic model and maintaining administrative simplicity.

Faced with various temporary authorities and the resulting complexity of the current interim TRICARE policies concerning coverage of ABA for ASD, the Department will create a new comprehensive Autism Care Demonstration providing all TRICARE-covered ABA under one new demonstration. This will encompass ABA services that recently have been provided under a patchwork of the TRICARE Basic Program (*i.e.,* the medical benefits authorized under

Section 199.4 of title 32, Code of Federal Regulations), the Extended Care Health Option (ECHO) Autism Demonstration (*i.e.,* the supplemental ABA benefits authorized for certain active duty family members under Section 199.5 of title 32, Code of Federal Regulations), and the ABA Pilot (*i.e.,* the supplemental ABA benefits authorized for certain non-active duty family members—including retiree dependents and others—under Section 705 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013). It will preserve most of the terms and conditions of coverage under that patchwork, incorporating some lessons learned. Coverage of ABA and related services under this new demonstration will apply comprehensively to all TRICARE eligible beneficiaries with a diagnosis of ASD. Eligible beneficiaries'' include dependents of active duty, retired, TRICARE-eligible Reserve Component, and certain other non-active duty members. Because there has been insufficient time to accomplish the congressional intent behind Section 705 of the FY13 NDAA, reconcile the various temporary authorities, and address the resulting complexity of the current interim TRICARE policies concerning coverage of ABA for ASD, this demonstration will consolidate TRICARE coverage of ABA based on the Department's demonstration authority in section 1092 of title 10, U.S. Code. The overarching goal is to analyze, evaluate, and compare the quality, efficiency, convenience and cost effectiveness of those autism-related services that do not constitute the proven medical care provided under the medical benefit coverage requirements that govern the TRICARE Basic Program.

DATES: Effective Date: July 25, 2014. This demonstration authority will remain in effect until December 31, 2018.

ADDRESSES: Defense Health Agency, Health Plan Execution and Operations, 7700 Arlington Boulevard, Suite 5101, Falls Church, Virginia 22042.

FOR FURTHER INFORMATION CONTACT: For questions pertaining to this demonstration, please contact Mr. Richard Hart at (703) 681–0047.

SUPPLEMENTARY INFORMATION:

A. Background Regarding the Autism Care Demonstration

Autism Spectrum Disorder (ASD) affects essential human behaviors such as social interaction, the ability to communicate ideas and feelings, imagination, and the establishment of relationships with others. The TRICARE Basic Program offers a comprehensive health benefit offering a full array of medically necessary services to address the needs of all TRICARE beneficiaries with an ASD diagnosis. TRICARE's Basic Program provides occupational therapy (OT) to treat deficits and promote the development of self-care skills; physical therapy (PT) to treat motor skill deficiencies and promote coordination; speech and language pathology therapy (SLP) to treat deficits in speech and language development and promote communication skills; psychiatry, psychology and therapists to address psychopharmacological needs, psychotherapy, and psychological testing. Additionally, the full range of medical specialties to address the medical conditions common to this population are covered.

Applied Behavior Analysis (ABA) is the design, implementation, and evaluation of environmental modifications to produce socially significant modification in human behavior. ABA is based on the principle that an individual's behavior is determined by past and current environmental events in conjunction with organic variables such as the individual's genetic endowment and ongoing physiological variables. ABA, by certified behavior analysts, focuses on treating behavioral difficulties by changing an individual's environment (*i.e.,* shaping behavior patterns through reinforcement and consequences). ABA is delivered optimally when family members/caregivers participate by consistently reinforcing the ABA interventions in the home setting in accordance with the prescribed treatment plan developed by the behavior analyst.

To date, the Department has not considered ABA to be medical in nature. As such, coverage of ABA as a medical treatment for ASD had been excluded from the TRICARE Basic Program and covered only for Active Duty Family Members (ADFMs) enrolled in the Extended Care Health Option (ECHO) until recent litigation and legislation provided temporary extension of some ABA under the Basic Program and expansion of additional services to other beneficiaries. However, ABA services are perceived as helpful by parents and some providers for the developmental trajectory of children with ASD. Although there is still a paucity of conclusive clinical evidence in that regard, there is growing support in the field of developmental pediatric medicine for the view that ABA will at some point emerge as a medically necessary treatment for ASD. However further assessment is needed to determine the appropriate characterization of ABA as an educational service or medical treatment, and the parameters for how ABA should be provided.

The provision of ABA as an intervention is still in its infancy. Although the Behavior Analyst Certification Board (BACB) has established national guidelines for behavior analysts, they have yet to issue national certification standards for the ABA ''Tutors'' or ''Behavioral Technicians'' who interact with ASD-diagnosed beneficiaries for multiple hours per day. Furthermore, only nine states currently license the behavior analysts who evaluate, develop treatment plans, and supervise delivery of ABA interventions for ASD-diagnosed beneficiaries, and their national certification standards are in the process of evolving. Additionally, the American Medical Association (AMA) has just recently developed Category III Current Procedure Terminology (CPT) codes (*i.e.,* a temporary set of codes for emerging technologies, services, and procedures) for ABA, which are not yet implemented and that will influence how ABA encounters are classified and reimbursed in the future.

Over the course of the ABA Pilot, TRICARE has been engaging with various stakeholders regarding TRICARE's coverage of ABA for ASD. Included in these groups have been participants from various national provider organizations, families of children with ASD, military providers who treat ASD, military beneficiary-related associations, and ASD advocacy groups. Feedback received regarding the ABA Pilot addressed issues including: The autonomy of BCBAs in formulating and implementing ABA treatment plans; the appropriate use of standardized testing to assess progress; appropriate procedures to ensure valid diagnosis of ASD; how to best transition care from the ECHO Autism Demonstration to the ABA Pilot when a beneficiary's sponsor retires from active duty; and the nature of discharge criteria that should be applied to ABA interventions. Based on the extensive and helpful feedback, the Department adjusted the ABA Pilot to implement lessons learned to date. For example, administration of the Autism Diagnostic Observation Scale, second edition (ADOS–2), was changed to being required only at the beginning of enrollment in the ABA Pilot, and the requirement for a repeat ADOS–2 was dropped for waiver requests for continued ABA beyond two years. To ensure continuity of care during transition periods, ADFMs enrolled in the ECHO Autism Demonstration who

transition to retiree dependent status were allowed direct entry into the ABA Pilot, and a one-year grace period was granted to allow sufficient time to meet the ABA Pilot's diagnosis, referral and assessment requirements. However, additional evaluation is needed beyond the one-year ABA Pilot period to: (a) Evaluate the adequacy of procedure changes made to date concerning coverage provided to non-ADFMs as well as implement additional planned adjustments, and (b) test the acceptance and applicability of the ABA coverage requirements and procedures developed for the ABA Pilot for the larger ADFM beneficiary population currently receiving ABA services under the ECHO Autism Demonstration, and (c) compare options for treating ASD under the TRICARE Basic Program generally. Under the new comprehensive Autism Care Demonstration, the Department will further evaluate the delivery of ABA services and integrate feedback from groups on the ABA tiered-delivery model to include the provision of ABA core services such as the initial ABA assessment, the initial ABA Treatment Plan (TP), the delivery of ABA specialized interventions, repeat ABA assessments, and ABA TP updates. The Department now seeks to transition that temporary patchwork structure into a more comprehensive program that will better support analysis and comparisons of the most appropriate standards, procedures and protocols for the delivery and financing of ABA services under TRICARE.

This transition includes moving ABA temporarily added in 2012 to the TRICARE Basic Progam into the Autism Care Demonstration, but without substantively changing the coverage. This is supported by the Department's interim coverage determination of June 28, 2013, which reaffirmed that available evidence does not support coverage under the TRICARE Basic Program, but deferred any change during the term of the NDAA–2013 ABA Pilot, which has a statutory end date of one year from the implementation date: July 24, 2014. In connection with the National Defense Authorization Act for Fiscal Year 2014, Congress considered but did not enact any changes in TRICARE ASD or ABA coverage and did not extend the ABA Pilot. Based on the Department's ongoing need to further analyze, compare and evaluate the nature and options for treating ASD, the Department will transition of all current ABA to the new Autism Care Demonstration to allow the Department to further analyze, compare, evaluate, and refine the procedures and protocols concerning the provision of ABA services and the ABA tiered delivery model.

The end result of this transition is that with very minimal change, all ABA currently provided under the patchwork combination of ECHO, the ECHO Demonstration, and the NDAA–2013 ABA Pilot will now be provided under the comprehensive Autism Care Demonstration through 2018. At that time, the interim coverage determination will be reassessed based on accumulated TRICARE experience and any other pertinent new information.

B. Description of the Autism Care Demonstration

The Department's continued evaluation of ABA for ASD must be accomplished while ensuring continuity of care for children currently receiving ABA and those who will be diagnosed with ASD and then seek treatment. Specific Autism Care Demonstration goals include:

1. Further analyzing and evaluating the appropriateness of the ABA tiered-delivery model under TRICARE generally in light of current and future Behavior Analyst Certification Board (BACB) Guidelines;
2. Determining the appropriate provider qualifications for the proper diagnosis of ASD and the provision of ABA, and assessing the added value of ABA Tutors, or Behavioral Technicians, beyond ABA provided by BCBAs;
3. Assessing, across the three TRICARE regions, the ASD beneficiary characteristics associated with full utilization of the ABA tiered-delivery model versus utilization of BCBA services only or non-utilization of any ABA services, and isolating factors contributing to significant variation across TRICARE regions in delivery of ABA;
4. Determining what beneficiary age groups utilize and benefit most from ABA interventions;
5. Assessing the relationship between receipt of ABA services and utilization of established medical interventions for children with ASD, such as speech and language pathology (SLP) therapy, occupational therapy (OT), physical therapy (PT), and pharmacotherapy; and
6. Assessing of the feasibility and advisability of establishing a beneficiary cost share for the treatment of ASD.

The Autism Care Demonstration will offer comprehensive ABA for all TRICARE eligible beneficiaries with an ASD when diagnosed by an appropriate provider. Under the Autism Care Demonstration, a Board Certified Behavior Analyst (BCBA) or Board Certified Behavior Analyst–Doctorate (BCBA–D) referred to as an ''ABA Supervisor'' will plan, deliver and/or supervise an ABA program. The BCBA or BCBA–D is supported by Board Certified Assistant Behavior Analysts (BCaBA) and/or paraprofessional Behavioral Technicians who work one-on-one with the beneficiary with ASD in the home and community setting to implement the ABA intervention protocol designed, monitored and supervised by the BCBA or the BCBA–D. A BCaBA and/or Behavioral Technician working within the scope of their training, practice, and competence may assist the BCBA or BCBA–D in various roles and responsibilities as determined appropriate by the BCBA or BCBA–D and delegated to the BCaBA and/or Behavioral Technician, and consistent with the BACB Guidelines (2012) and BACB certification requirements. As such, the Autism Care Demonstration will specifically require that BCaBAs and Behavioral Technicians work under the supervision of a BCBA or BCBA–D. ABA delivered solely by BCBAs or BCBA–Ds is also covered by the Autism Care Demonstration and will provide a comparative assessment of providing ABA services delivered solely by master's level providers or under the ABA tiered delivery model in terms of access, quality, and cost. The Department will also compare naturally occurring utilization data of PT, OT, SLP and pharmacotherapy services without ABA to those also receiving ABA sole provider and tiered model services.

To ensure continuity of ABA care for all beneficiaries, the Autism Care Demonstration will be implemented in a phased approach to transition from those coverage rules that currently exist under the patchwork of programs to the new consolidated Autism Care Demonstration as all actions necessary to start services under the Autism Care Demonstration are completed (*i.e.,* development of proposed policy language, funding, publication of policy manuals, and contract modifications). The Department will commence ABA coverage under the Autism Care Demonstration model by July 25, 2014, the statutory end date of the current ABA Pilot, with all beneficiaries transitioned from their current ABA coverage model to the new consolidated Autism Care Demonstration not later than December 31, 2014. Only ABA will be transitioned to the new consolidated Autism Care Demonstration. All medically necessary services that address the needs of TRICARE

beneficiaries with an ASD diagnosis (*e.g.,* SLP, OT, PT, pharmacotherapy, etc.) will otherwise continue under the TRICARE Basic Program. Additionally, the full range of medical specialties to diagnose and treat medical conditions covered in accordance with the regulations governing TRICARE Basic Program benefits.

Likewise, the ECHO program as currently outlined in Section 199.5 of title 32, Code of Federal Regulations remains otherwise unaffected. ECHO-registered active duty family members will continue to receive all services and supplies determined by the Department to assist in reducing the disabling effects of an ECHO-eligible dependent's qualifying conditions, except for the changes concerning coverage of ABA that will be implemented in the new comprehensive Autism Care Demonstration noted above. Participation in the Autism Care Demonstration by ADFMs requires registration in ECHO and shall constitute participation in ECHO for purposes of ECHO registered beneficiary eligibility for other ECHO services (*e.g.,* respite care). By linking registration in ECHO, the Department can ensure these beneficiaries continue to receive all services and supplies determined by the Department to assist in reducing the disabling effects of an ECHO-eligible dependent's qualifying conditions such as respite care, durable equipment, and additional PT, OT and SLP services available under ECHO.

Supplemental ABA benefits authorized for certain non-ADFMs—including retiree dependents and others—under Section 705 of NDAA–2013 shall be likewise transitioned from the one-year ABA Pilot to the new Autism Care Demonstration. During the transition period of the remainder of 2014, the regional contractors will work with beneficiaries with ASD to ensure smooth transitions to avoid disruptions in ABA.

The Autism Care Demonstration will authorize TRICARE reimbursement of the following ABA to TRICARE eligible beneficiaries with an ASD diagnosed by an appropriate provider: An initial beneficiary ABA assessment, to include administration of appropriate diagnostic tests, and a functional behavioral assessment and analysis; development of an ABA Treatment Plan (TP) with goals and objectives of behavior modification and specific-evidenced based interventions; one-on-one ABA interventions and assessments in accordance with the treatment plan goals and objectives; and periodic ABA TP updates that reflect re-assessment of the beneficiary's progress toward meeting treatment goals and objectives specified in the ABA TP.

C. Providers Under the Autism Care Demonstration

TRICARE coverage of ABA under the Autism Care Demonstration will require a diagnosis of ASD rendered by an appropriate provider. For purposes of the Autism Care Demonstration, ASD shall only be diagnosed by certain TRICARE-authorized physician Primary Care Managers (P–PCMs) or by a specialized ASD provider. TRICARE authorized P–PCMs for the purposes of the diagnosis of ASD for coverage under the Autism Care Demonstration include: TRICARE authorized family practice, internal medicine and pediatric physicians, whether they work in the purchased care or direct care system. TRICARE authorized specialty ASD providers include: TRICARE authorized physicians board-certified or board-eligible in behavioral developmental pediatrics, neurodevelopmental pediatrics, and pediatric neurology or adult or child psychiatry; or doctoral-level licensed clinical psychologists. Other PCMs, including Nurse Practitioners (NPs) and Physician Assistants (PAs), or other providers not having the qualifications described above, are not ASD diagnosing providers for Autism Care Demonstration purposes. In cases where a beneficiary does not have a P–PCM (such as when assigned to a NP or PA), the ASD diagnosis may be rendered by a TRICARE authorized physician in any of the disciplines described above under P–PCM, or by a TRICARE authorized specialty ASD provider.

The minimal educational level required for an ABA Supervisor under the Autism Care Demonstration's tiered model, and consistent with the BACB Guidelines (2012), is the master's degree. Both BCBAs and BCBA–Ds have a scope of practice at the full clinical level, which enables them to perform full ASD assessments, develop treatment plans, reassessments and updates, and supervise the BCaBAs and paraprofessional Behavioral Technician staff working under them. Although TRICARE previously authorized BCaBAs to practice independently under ECHO and the ECHO Autism Demonstration, those provisions pre-dated the more recent BACB Guidelines (2012). Therefore, BCaBAs must be supervised by BCBAs or BCBA–Ds under the Autism Care Demonstration. BCaBAs have a scope of practice that allows them to assist the BCBA or BCBA–D in clinical support and case management activities, to include assisting in the supervision of the Behavioral Technicians and the training of TRICARE eligible family members to implement ABA interventions in accordance with the ABA TP. However, under the BACB Guidelines, BCaBAs may not practice independently of the supervision of a BCBA or BCBA–D, and TRICARE may not cost-share on claims for services provided to TRICARE beneficiaries submitted for unsupervised services of a BCaBA.

Behavioral Technicians are paraprofessionals who meet the educational requirements established by the Department, which follow current BACB Guidelines for Behavioral Technician certification (2014). Under the Autism Care Demonstration, Behavioral Technicians will require one hour of direct supervision for every ten hours of ABA therapy interventions provided. A Behavioral Technician may not conduct the ABA assessment, or establish a child's ABA TP. TRICARE may not cost-share on claims for services provided to TRICARE beneficiaries submitted for unsupervised services of Behavioral Technicians.

D. Referral and Authorization

After a TRICARE eligible beneficiary is diagnosed with an ASD by an appropriate diagnosing provider (as discussed above), a referral with the supporting diagnosis must be submitted by the TRICARE-authorized physician Primary Care Manager (P–PCM) or specialized ASD provider who rendered the diagnosis to the regional contractor. Other PCMs, including NPs and PAs, or other providers not having the qualifications of an appropriate provider described above, may not refer beneficiaries for ABA. Upon receipt, the regional contractor shall issue a timely authorization for ABA under the Autism Care Demonstration for one year from a TRICARE authorized BCBA or BCBA–D including a referral for diagnostic testing as needed. That authorization will enable each beneficiary with ASD to seek developmentally appropriate ABA from any TRICARE authorized BCBA or BCBA–D. The provision of ABA by a BCBA or BCBA–D under the Autism Care Demonstration shall include the elements of a full ASD assessment discussed in paragraph B above. Prior to the expiration of each one-year authorization period for ABA under the Autism Care Demonstration, the BCBA or BCBA–D shall request re-authorization from the regional contractor based on documented appropriateness of continued ABA, which shall include an updated ABA TP. Discharge criteria to guide regional medical directors in determining if/

when ABA is no longer appropriate for a particular beneficiary shall include the following factors: No measurable progress made toward meeting goals identified on the ABA TP after successive progress review periods and repeated modifications to the treatment plan; ABA TP gains are not generalizable or durable over time and do not transfer to the larger community setting (to include school) after successive progress review periods and repeated modifications to the treatment plan; the patient can no longer participate in ABA (due to medical problems, family problems or other factors that prohibit participation); the patient has met ABA TP goals and is no longer in need of ABA; and loss of eligibility for TRICARE benefits as defined in 32 C.F.R. 199.3.

E. Testing and Assessment

For any beneficiary whose ASD diagnosis was not made by an authorized specialty ASD provider as defined above, diagnostic assessment using the Autism Diagnostic Observation Schedule, Second Edition (ADOS–2) is required within the first year of ABA to confirm the diagnosis of ASD. For assessment of clinical progress, BCBAs supervising provision of ABA for beneficiaries must ensure that appropriate, individualized assessment of progress toward behavioral targets and goals is documented weekly and reviewed by the BCBA or BCBA–D on at least a monthly basis. Progress can be presented either in graphic form, and/or using standardized assessment measures (*e.g.,* the Assessment of Basic Language and Learning Skills-Revised [ABLLS–R] or the Verbal Behavior Milestones Assessment and Placement Program [VB–MAPP], administered every 6 months). The assessment method selected should be consistent (i.e., administered at baseline and follow-up) for the entire episode of care. Annual standardized assessment of adaptive functioning using the Vineland Adaptive Behavior Scales, Second Edition (Vineland-II) is covered, but not required. Documentation of clinical progress must be submitted with the treatment plan annually to the referring provider and the regional contractor for continued authorization of ABA.

F. ABA Provided Under the TRICARE Overseas Program (TOP)

ABA shall only be authorized under the TOP for ABA provided directly by either a BCBA or BCBA–D in countries that have BCBA and BCBA-Ds certified by the BACB. The TOP contractor will verify compliance with all requirements outlined in the Autism Care Demonstration. European and other international providers certified by the BACB as a BCBA or BCBA–D are TRICARE authorized providers of direct ABA for the overseas program. BCaBAs are not not independent TRICARE authorized providers of ABA for the overseas program, regardless of their status in their host nation, nor are their services as part of the tiered model authorized overseas. Likewise, Behavioral Technicians are not authorized to provide ABA overseas. In situations where there are no BCBAs or BCBA-Ds certified by the BACB within the TRICARE specialty care access standards in the host nation, TRICARE may not cost-share ABA under the Autism Care Demonstration, or otherwise.

G. Cost-Sharing

Under the Autism Care Demonstration, the Department will implement beneficiary cost-sharing requirements that will not be subject to an annual cap. For ABA provided by a BCBA or BCBA–D, beneficiary cost sharing will be equal to the cost sharing applicable to services under the TRICARE Basic Program. TRICARE Standard program deductible and cost-share amounts are defined in 32 C.F.R. 199.4. TRICARE Extra program deductible and cost-share amounts are defined in 32 C.F.R. 199.17. TRICARE Prime program enrollment fees and copayments are defined under the Uniform Health Maintenance Organization (HMO) Benefit Schedule of Charges in 32 C.F.R. 199.18. For information on fees for Prime enrollees choosing to receive care under the Point of Service (POS) option, refer to 32 CFR 199.17.

For ABA provided by a BCaBA and/or Behavioral Technicians under the supervision of a BCBA or BCBA–D, the sponsor/beneficiary cost-share for active duty family members every month in which ABA benefits are received shall be equal to the monthly ECHO fee as required 32 CFR 199.5 and set forth in TRICARE Policy Manual, Chapter 9, Section 16.1. Registration in ECHO for active duty family members and payment of the monthly ECHO cost-share satisfies the monthly Autism Care Demonstration cost share for ABA provided by a BCaBA and/or Behavioral Technicians. Non-active duty cost sharing for ABA provided by a BCaBA and/or Behavioral Technicians will be 10%, as it has been under the ABA Pilot. These cost sharing requirements will continue to be outside the TRICARE Basic Program catastrophic cap.

H. ABA Provider Reimbursement

Revised reimbursement rates and claims processes will be developed and implemented as appropriate for TRICARE cost-sharing of ABA under the Autism Care Demonstration. These revised billing codes and procedures will be disseminated with publication of the TRICARE policy manual changes regarding provision of ABA. Only BCBAs and BCBA-Ds may submit claims and receive TRICARE reimbursement for ABA under the Autism Care Demonstration.

I. Program Integrity and Oversight

A utilization review process will be established for the Autism Care Demonstration to provide quality oversight of ABA cost-shared by TRICARE and to ensure developmentally appropriate ABA is provided to all eligible TRICARE beneficiaries with ASD. A component of Autism Care Demonstration oversight will address methods to identify ABA overutilization or other forms of misuse. Clinical requirements are specified for documentation on the initial ABA TP and ABA TP updates. The TRICARE Quality Monitoring Contractor (TQMC) shall perform random record review for coding compliance and quality monitoring of the ABA TP every 180 days. TQMC findings of improper coding compliance shall be reported to the regional contractor in accordance with the TRICARE Operations Manual, Chapter 13. This is essential to maximizing access to the limited number of behavior analysts available to assist those beneficiaries with ASD.

J. Communications

The DHA will educate beneficiaries, providers, and other stakeholders about this change through multiple communications channels, including: Traditional media; social media; internet content; provider education; outreach to beneficiary organizations, advocacy groups, and other stakeholders; printed materials; customer service updates; and subscriber emails.

K. Evaluation of the Autism Care Demonstration

The Autism Care Demonstration will assist the Department in evaluating: The aspects of the ABA tiered-delivery model that are medical, educational, or other characterization; whether the provision of the ABA tiered-delivery model can effectively offset the difficulty parents have in using ABA interventions collaboratively, consistently, and intensely when interacting with their children who have

an ASD; whether the use of BCaBAs and Behavioral Technicians creates more cost-effective access to ABA based on the limited number of BCBAs and BCBA–Ds, while maintaining the quality of ABA; the appropriateness of requirements for providers, referral, authorization, treatment planning, assessment, testing, reimbursement, cost-sharing, discharge planning, and oversight to increase access to ABA for TRICARE beneficiaries with an ASD, while ensuring appropriate progress and utilization.

To collect necessary data to achieve the goals outlined for the Autism Care Demonstration, two parental surveys will be administered: The first at the mid-period of the Autism Care Demonstration (2016) and a second upon its conclusion (2018). These parental surveys will contain questions regarding: The reasons why parents avail themselves of the ABA tiered-delivery model, BCBA-only ABA, or no ABA; the perceived impairment(s) of their child with ASD; their degree of difficulty in accessing ABA and other clinical services with ASD; and, their overall satisfaction and perceived benefit regarding the ABA services provided.

The Autism Care Demonstration will provide the Department the opportunity to continue evaluating the provision of ABA under TRICARE while avoiding disruption of potentially therapeutic ABA interventions that could greatly benefit TRICARE beneficiaries with ASD. This information will be essential for determining it and how ABA should be delivered under TRICARE if the clinical community and accumulated evidence clearly indicates that ABA is a reliably evidence-based medical intervention for the treatment of ASD.

Dated: June 11, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–14023 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0094]

Privacy Act of 1974; System of Records

AGENCY: Office of the Inspector General, DoD.

ACTION: Notice to amend a System of Records.

SUMMARY: The Office of the Inspector General is amending a system of records, CIG–24, entitled ''Office Functional Files'' in its existing inventory of record systems subject to the Privacy Act of 1974, as amended. The system's records are used to answer, evaluate, adjudicate, defend, prosecute, or settle claims, complaints, lawsuits, or criminal and civil investigations.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.*

Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Mark Dorgan, DoD IG FOIA/Privacy Office, Department of Defense, Inspector General, 4800 Mark Center Drive, Alexandria, VA 22350–1500 or telephone: (703) 699–5680.

SUPPLEMENTARY INFORMATION: The Office of the Secretary of Defense systems of records notices subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or from the Defense Privacy and Civil Liberties Office Web site at *http://dpclo.defense.gov/.*

The Office of the Secretary of Defense proposes to amend one system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The proposed amendment is not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: June 10, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

CIG–24

SYSTEM NAME:

Office Functional Files (June 16, 2006, 71 FR 34899)

CHANGES:

SYSTEM NAME:

Delete entry and replace with ''Office of General Counsel Office Functional Files.''

SYSTEM LOCATION:

Delete entry and replace with ''Office of the General Counsel, Office of Inspector General, Department of Defense, 4800 Mark Center Drive, Suite 15K26, Alexandria, Virginia 22350–1500.''

* * * * *

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''Name, position description, grade, salary, work history, and complaint; case history files, copies of applicable law(s), working papers of attorneys, testimony of witnesses, background investigation materials, correspondence, damage reports, contracts, accident reports, pleadings, affidavits, estimates of repair costs, invoices, litigation reports, and financial data.''

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with ''The Inspector General Act of 1978 (Pub. L. 95–452), as amended; DoD Directive 5106.1, Inspector General of the Department of Defense (IG DoD); 5 U.S.C. 301, Departmental Regulations; and DoD Directive 5145.4, Defense Legal Services Agency.''

* * * * *

STORAGE:

Delete entry and replace with ''Paper records and electronic storage media.''

RETRIEVABILITY:

Delete entry and replace with ''Name of litigant or subject of record.''

SAFEGUARDS:

Delete entry and replace with ''Paper and automated records are stored in rooms with restricted access in a secure building. Access is limited to General Counsel staff in the performance of their official duties. Computer systems in which records reside are protected through the use of assigned user or identification(s) and multiple levels of passwords restricting access. A

Common Access Card (CAC) is required for access to electronic records.''

* * * * *

SYSTEM MANAGER(S) AND ADDRESS:

Delete entry and replace with ''Office of the General Counsel and Assistant Inspector General for the Office of Legal Counsel, Office of Inspector General, Department of Defense, 4800 Mark Center Drive, Suite 15K26, Alexandria, Virginia 22350–1500.''

NOTIFICATION PROCEDURES:

Delete entry and replace with ''Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Chief, Freedom of Information Act Requester Service Center/Privacy Act Office, Assistant Inspector General for Communications and Congressional Liaison, Office of the Inspector General, DoD, 4800 Mark Center Drive, Alexandria, VA 22350–1500.

For verification purposes, individuals shall provide their full name, address, any details which may assist in locating records of the individual, and their signature.

In addition, the requester must provide a notarized statement or a signed declaration made in accordance with 28 U.S.C. 1746, in the following format:

IF EXECUTED OUTSIDE THE UNITED STATES:

'I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date).' (Signature).

IF EXECUTED WITHIN THE UNITED STATES, ITS TERRITORIES, POSSESSIONS, OR COMMONWEALTHS:

'I declare under penalty of perjury that the foregoing is true and correct. Executed on (date).' (Signature).''

RECORD ACCESS PROCEDURES:

Delete entry and replace with ''Individuals seeking access to information about themselves contained in this system should address written inquiries to the Chief, Freedom of Information Act Requester Service Center/Privacy Act Office, Assistant Inspector General for Communications and Congressional Liaison, Office of the Inspector General, DoD, 4800 Mark Center Drive, Alexandria, VA 22350–1500.

For verification purposes, individuals shall provide their full name, address, any details which may assist in locating records of the individual, and their signature.

In addition, the requester must provide a notarized statement or a signed declaration made in accordance with 28 U.S.C. 1746, in the following format:

IF EXECUTED OUTSIDE THE UNITED STATES:

'I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date).' (Signature).

IF EXECUTED WITHIN THE UNITED STATES, ITS TERRITORIES, POSSESSIONS, OR COMMONWEALTHS:

'I declare under penalty of perjury that the foregoing is true and correct. Executed on (date).' (Signature).''

* * * * *

[FR Doc. 2014–13909 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0093]

Privacy Act of 1974; System of Records

AGENCY: Office of the Inspector General, DoD.

ACTION: Notice to alter a System of Records.

SUMMARY: The Office of the Inspector General proposes to alter a system of records, CIG–04, Case Reporting and Information Management System Records, in its inventory of record systems subject to the Privacy Act of 1974, as amended. This system of records contains open and closed case listings, statistical reports, and records to support the investigative process such as suitability, loyalty, eligibility, and general trustworthiness of individuals for access or continued access to classified information and suitability for access to government facilities.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective on the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* Federal Rulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.

* Mail: Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Mark Dorgan, DoD IG FOIA/Privacy Office, Department of Defense, Inspector General, 4800 Mark Center Drive, Alexandria, VA 22350–1500 or telephone: (703) 699–5680.

SUPPLEMENTARY INFORMATION: The Office of the Inspector General notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or from the Defense Privacy and Civil Liberties Web site at *http://dpclo.defense.gov/.*

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act, as amended were submitted on June 9, 2014, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A–130, ''Federal Agency Responsibilities for Maintaining Records About Individuals,'' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: June 10, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

CIG–04

SYSTEM NAME:

Case Reporting and Information Management System Records (February 10, 2009, 74 FR 6587).

CHANGES:

* * * * *

SYSTEM LOCATION:

Delete entry and replace with ''Primary location: Office of Inspector General, Department of Defense, Office of the Deputy Inspector General for Investigations, Defense Criminal Investigative Service (DCIS), 4800 Mark Center Drive, Suite 14G25, Alexandria, VA 22350–1500.

DECENTRALIZED LOCATIONS:

Office of the Deputy Inspector General for Investigations/Defense Criminal

Investigative Service Field Offices, Resident Agencies, and Posts of Duty have temporary control over portions of the records.''

* * * * *

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''Individual's name, Social Security Number (SSN), driver's license, alien registration number, passport number, gender, race/ethnicity, birth date, mailing home address, mailing office address, home phone number, office phone numbers, personal email address, business email address, place of birth, marital status, employment information, law enforcement data, records of investigations to include reports of investigation, information reports and case summaries which are being or have been conducted by the OIG.''

* * * * *

PURPOSE(S):

Delete entry and replace with ''The file contains open and closed case listings, statistical reports, and records to support the investigative process. Users are OIG employees and contractors supporting the OIG mission. The records in this system are used for the following purposes: Suitability, loyalty, eligibility, and general trustworthiness of individuals for access or continued access to classified information and suitability for access to government facilities or industrial firms engaged in government projects/contracts; contractor responsibility and suspension/debarment determinations; suitability for awards or similar benefits; use in current law enforcement investigation or program of any type; use in judicial or adjudicative proceedings including litigation or in accordance with a court order; to identify offenders, to provide facts and evidence upon which to base prosecution, to provide information to other investigative elements of the Department of Defense having jurisdiction over the substance of the allegations or a related investigative interest in criminal law enforcement investigations including statutory violations, counter-intelligence, counter-espionage and counter-terrorist activities and other security matters; to effect corrective administrative action and to recover money and property which has been wrongfully used or misappropriated; to make decisions affecting personnel actions concerning members of the Armed Forces and or Federal employees; and to respond to other complaint investigations and Congressional inquiries as appropriate.''

* * * * *

RETRIEVABILITY:

Delete entry and replace with ''Name, SSN, date of birth, email address, phone number, street address, driver's license number, alien registration number, and passport number.''

* * * * *

SYSTEM MANAGER(S) AND ADDRESS:

Delete entry and replace with ''Director, Internal Operations Directorate, Defense Criminal Investigative Service, Office of the Inspector General for Investigations, Office of the Inspector General of the Department of Defense, 4800 Mark Center Drive, Suite 14G25, Alexandria, VA 22350–1500.''

NOTIFICATION PROCEDURES:

Delete entry and replace with ''Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Chief, Freedom of Information Act Requester Service Center/Privacy Act Office, Assistant Inspector General for Communications and Congressional Liaison, Office of the Inspector General, DoD, 4800 Mark Center Drive, Alexandria, VA 22350–1500.

For verification purposes, individuals shall provide their full name, address, any details which may assist in locating records of the individual, and their signature.

In addition, the requester must provide a notarized statement or a signed declaration made in accordance with 28 U.S.C. 1746, in the following format:

''If executed outside the United States:

'I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date).' (Signature).

If executed within the United States, its territories, possessions, or commonwealths:

'I declare under penalty of perjury that the foregoing is true and correct. Executed on (date).' (Signature).''

RECORD ACCESS PROCEDURES:

Delete entry and replace with ''Individuals seeking access to information about themselves is contained in this system should address written inquiries to the Chief, Freedom of Information Act Requester Service Center/Privacy Act Office, Assistant Inspector General for Communications and Congressional Liaison, Office of the Inspector General, DoD, 4800 Mark Center Drive, Alexandria, VA 22350–1500.

For verification purposes, individuals shall provide their full name, address, any details which may assist in locating records of the individual, and their signature.

In addition, the requester must provide a notarized statement or a signed declaration made in accordance with 28 U.S.C. 1746, in the following format:

''IF EXECUTED OUTSIDE THE UNITED STATES:

'I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date).' (Signature).

IF EXECUTED WITHIN THE UNITED STATES, ITS TERRITORIES, POSSESSIONS, OR COMMONWEALTHS:

'I declare under penalty of perjury that the foregoing is true and correct. Executed on (date).' (Signature).''

* * * * *

[FR Doc. 2014–13910 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0096]

Privacy Act of 1974; System of Records

AGENCY: Defense Information Systems Agency, DoD.

ACTION: Notice to delete a System of Records Notice.

SUMMARY: The Defense Information Systems Agency is deleting a system of records notice in its existing inventory of record systems subject to the Privacy Act of 1974, as amended. The notice is entitled ''KEUR.08, Travel Order and Voucher File''.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective on the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Jeanette Weathers-Jenkins, 6916 Cooper Avenue, Fort Meade, MD 20755–7901, or (301) 225–8158.

SUPPLEMENTARY INFORMATION: The Defense Information Systems Agency systems of records notices subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy and Civil Liberties Web site at *http://dpclo.defense.gov.*

The proposed deletion is not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: June 10, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DELETION

KEUR.08, Travel Order and Voucher File (May 15, 2009, 74 FR 22902)

REASON

Based on a recent review of DISA systems of records KEUR.08, Travel Order and Voucher File (May 15, 2009, 74 FR 22902), is covered by DHRA 08 DoD, Defense Travel System (March 24, 2010, 75 FR 14142) and therefore can be deleted. The Office of the Secretary, DoD/Joint Staff notice DHRA 08 DoD, Defense Travel System can be found at *http://dpclo.defense.gov.*

[FR Doc. 2014–13913 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2014–OS–0095]

Privacy Act of 1974; System of Records

AGENCY: Defense Information Systems Agency, DoD.

ACTION: Notice to amend three Systems of Records.

SUMMARY: The Defense Information Systems Agency is amending three systems of records notices in its existing inventory of record systems subject to the Privacy Act of 1974, as amended. These systems are updating their retention and disposal category. The systems are KWHC 08, DefenseReady, K890.15 DoD, Active Directory Enterprise Application and Services Forest (AD EASF), and KD3D.01, Continuity of Operations Plans.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective on the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Jeanette Weathers-Jenkins, DISA Privacy Officer, Chief Information Office, 6916 Cooper Avenue, Fort Meade, MD 20755–7901, or by phone at (301)225–8158.

SUPPLEMENTARY INFORMATION: The Defense Information Systems Agency systems of records notices subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at *http://dpclo.defense.gov/.*

The proposed changes to the record systems being amended are set forth in this notice. The proposed amendments are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: June 11, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

KWHC 08

SYSTEM NAME:

DefenseReady (November 26, 2013, 78 FR 70543).

CHANGES:

* * * * *

RETENTION AND DISPOSAL:

Delete entry and replace with ''TEMPORARY: Records are maintained for 6 years, then destroyed.''

* * * * *

K890.15 DoD

SYSTEM NAME:

Active Directory Enterprise Application and Services Forest (AD EASF) (December 8, 2010, 75 FR 76426)

CHANGES:

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RETENTION AND DISPOSAL:

Delete entry and replace with ''Delete when the agency determines records are no longer needed for administrative, legal, audit, or other operational purposes.''

* * * * *

KD3D.01

SYSTEM NAME:

Continuity of Operations Plans (August 2, 2013, 78 FR 46929)

CHANGES:

* * * * *

RETENTION AND DISPOSAL:

Delete entry and replace with ''PERMANENT. Cut off on supersession. Offer to NARA in 5-year blocks when 25 years old.''

* * * * *

[FR Doc. 2014–13970 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2014–0021]

Privacy Act of 1974; System of Records

AGENCY: Department of the Air Force, DoD.

ACTION: Notice to alter a System of Records.

SUMMARY: The Department of the Air Force proposes to alter a system of

records notice, F034 AF SVA F, entitled ''Automated Air Force Library Information System'' in its existing inventory of records systems subject to the Privacy Act of 1974, as amended. This system is used to track accountability of points of contact and materials checked out for office accounts using the Office Management (OCMAN) module. In addition it processes acquisitions for libraries and units; tracks funding; and reports statistical data. Individual's names, unit addresses and government email address may be sent to vendors as required to procure requested products.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this Federal Register document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Mr. Charles J. Shedrick, Department of the Air Force Privacy Office, Air Force Privacy Act Office, Office of Warfighting Integration and Chief Information Officer, ATTN: SAF/CIO A6, 1800 Air Force Pentagon, Washington, DC 20330–1800, or by phone at (571) 404–6575.

SUPPLEMENTARY INFORMATION: The Department of the Air Force's notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or from the Defense Privacy and Civil Liberties Office at *http://dpclo.defense.gov/.*

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, were submitted on June 9, 2014, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A–130, ''Federal Agency Responsibilities for Maintaining Records About Individuals,'' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: June 11, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

F034 AF SVA F

SYSTEM NAME:

Automated Air Force Library Information System (October 26, 2004, 69 FR 62438).

* * * * *

CHANGES:

SYSTEM ID:

Delete entry and replace with ''F034 AFPC A.''

SYSTEM NAME:

Delete entry and replace with ''Air Force Library Information System (AFLIS).''

SYSTEM LOCATION:

Delete entry and replace with ''Air Force Personnel Operation Agency, Database Operations Branch, Bldg 499, 550 C Street West Suite 50, JBSA Randolph AFB, TX 78150–4752.''

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with ''Air Force active duty, reserve, National Guard, civilians and contract personnel who are authorized to use the Air Force Library Information System.''

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''Name, office mailing address, unit, duty telephone number(s), and government email address. Uniquely system created account number, order number, and Library's Department of Defense Address Code (DODAC) number.''

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with ''10 U.S.C. 8013, Secretary of the Air Force; Air Force Instruction 34–270, Air Force Library and Information System (AFLIS).''

PURPOSE(S):

Delete entry and replace with ''This system is used to track accountability of points of contact and materials checked out for office accounts using the Office Management (OCMAN) module. In addition it processes acquisitions for libraries and units; tracks funding; and reports statistical data. Names, unit addresses and government email address may be sent to vendors as required to procure requested products.''

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Delete entry and replace with ''In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, these records contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The DoD Blanket Routine Uses published at the beginning of the Air Force's compilation of systems of records notices may apply to this system.''

* * * * *

STORAGE:

Delete entry and replace with ''Electronic storage media and/or paper records.''

RETRIEVABILITY:

Delete entry and replace with ''Unique account number, order number, and Library's DODAC number.''

SAFEGUARDS:

Delete entry and replace with ''Records are accessed by authorized personnel who are properly screened, cleared, and trained. Electronic records are only accessed by authorized personnel with Common Access Cards (CACs) and need-to-know.''

RETENTION AND DISPOSAL:

Delete entry and replace with ''Records are destroyed when six years three months old, superseded, obsolete, or no longer needed for reference. Records are destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Electronic records are destroyed by erasing, deleting, or overwriting.''

SYSTEM MANAGER(S) AND ADDRESS:

Delete entry and replace with ''Air Force Library Information System Program Manager, Headquarters Air Force Personnel Center, Services Directorate, Libraries Branch, 2261 Hughes Avenue, Suite 156, JBSA Lackland, TX 78236–9854.''

NOTIFICATION PROCEDURE:

Delete entry and replace with ''Individuals seeking to determine

whether this system of records contains information on themselves should address inquiries to the Air Force Library Information System Program Manager, Headquarters Air Force Personnel Center, Services Directorate, Libraries Branch, 2261 Hughes Avenue, Suite 156, JBSA Lackland, TX 78236–9854.

For verification purposes, individual should provide their full name and any details which may assist in locating records, and their signature. In addition, the requester must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

IF EXECUTED OUTSIDE THE UNITED STATES:

'I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)'.

IF EXECUTED WITHIN THE UNITED STATES, ITS TERRITORIES, POSSESSIONS, OR COMMONWEALTHS:

'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'.''

RECORD ACCESS PROCEDURES:

Delete entry and replace with ''Individuals seeking access to records about themselves contained in this system should address written inquiries or visit the Air Force Library Program Manager, Services Directorate, Libraries Branch, 2261 Hughes Avenue, Suite 156, Lackland Air Force Base, TX 78236–9852.

For verification purposes, individual should provide their full name and any details which may assist in locating records, and their signature. In addition, the requester must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

IF EXECUTED OUTSIDE THE UNITED STATES:

'I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)'.

IF EXECUTED WITHIN THE UNITED STATES, ITS TERRITORIES, POSSESSIONS, OR COMMONWEALTHS:

'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'.''

* * * * *

RECORD SOURCE CATEGORIES:

Delete entry and replace with ''Information obtained from the individual.''

* * * * *

[FR Doc. 2014–13989 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2014–0022]

Privacy Act of 1974; System of Records

AGENCY: Department of the Air Force, DoD.

ACTION: Notice to delete two Systems of Records.

SUMMARY: The Department of the Air Force is deleting two systems of records notices in its existing inventory of record systems subject to the Privacy Act of 1974, as amended. The system notices are entitled ''F036 AETC N, Student Record Folder'' and ''F036 AETC P, Student Questionnaire''.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective the date following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Mr. Charles J. Shedrick, Department of the Air Force, Air Force Privacy Act Office, Office of Warfighting Integration and Chief Information Officer, ATTN: SAF/CIO A6, 1800 Air Force Pentagon, Washington, DC 20330–1800, or by phone at (571) 256–2515.

SUPPLEMENTARY INFORMATION: The Department of the Air Force systems of records notices subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at *http://dpclo.defense.gov/.* The proposed deletions are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: June 11, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DELETION:

F036 AETC N

SYSTEM NAME:

Student Record Folder (January 21, 2005, 70 FR 3190).

REASON:

Redundant with F036 AF AETC A, Student Records (August 13, 2004, 69 FR 50173). All records have run their retention/disposition and have been destroyed. Therefore, F036 AETC N, Student Record Folder can be deleted.

DELETION:

F036 AETC P

SYSTEM NAME:

Student Questionnaire (January 21, 2005, 70 FR 3190).

REASON:

Redundant with F036 AF AETC A, Student Records (August 13, 2004, 69 FR 50173). All records have run their retention/disposition and have been destroyed. Therefore, F036 AETC P, Student Questionnaire can be deleted.

[FR Doc. 2014–14022 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2014–0022]

Privacy Act of 1974; System of Records

AGENCY: Department of the Army, DoD.

ACTION: Notice to amend a System of Records.

SUMMARY: The Department of the Army proposes to amend a system of records, A0165–1a DACH, entitled ''Baptism, Marriage, and Funeral Files'' in its inventory of record systems subject to

the Privacy Act of 1974, as amended. This is now a closed system; no new records may be added. The system was used to render service to military members, their dependents and authorized civilians.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective on the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Mr. Leroy Jones, Jr., Department of the Army, Privacy Office, U.S. Army Records Management and Declassification Agency, 7701 Telegraph Road, Casey Building, Suite 144, Alexandria, VA 22315–3827 or by phone at 703–428–6185.

SUPPLEMENTARY INFORMATION: The Department of the Army systems of records notices subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy and Civil Liberties Office Web site at *http://dpclo.defense.gov/.*

The proposed changes to the record system being amended are set forth in this notice. The proposed amendment is not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: June 10, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

A0165–1a DACH

SYSTEM NAME:

Baptism, Marriage, and Funeral Files (February 22, 1993, 58 FR 10002).

CHANGES:

* * * * *

SYSTEM NAME:

Closed—Baptism, Marriage, and Funeral Files

* * * * *

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with ''This is a closed system—no new records may be added. Any service member, his/her dependent, authorized civilian personnel, or retired service member for whom an Army chaplain performed a baptism, marriage, or funeral.''

* * * * *

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with ''10 U.S.C. 3547, Duties: Chaplains; Assistance Required of Commanding Officers.''

PURPOSE(S):

Delete entry and replace with ''Records were used to render service to military members, their dependents and authorized civilians.''

* * * * *

RETRIEVABILITY:

Delete entry and replace with ''Records are retrieved by marriage records filed by groom's surname; funeral records by surname of deceased person; baptismal records by the individual's surname.''

SAFEGUARDS:

Delete entry and replace with ''Records are now stored at the Washington National Records Center and are only released upon request. See ''Record Access Procedures'' below.''

RETENTION AND DISPOSAL:

Delete entry and replace with ''Records from 1953 to 1977 are retained for 50 years; this system was discontinued October 1, 1977 after which no information was collected or is retained. Records will remain in legal DoD custody and physically maintained at the Washington National Records Center until January 2027 at which time they will be destroyed IAW their approved records retention.''

* * * * *

NOTIFICATION PROCEDURE:

Delete entry and replace with ''Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Office, Chief of Chaplains, Headquarters, Department of the Army, ATTN: DACH–IMW, Washington, DC 20310–2700.

INDIVIDUAL SHOULD PROVIDE:

- For baptismal records: Full name of person baptized, approximate date, names of parents, name of chaplain, and place of baptism.
- For marriage records: Full name of groom and maiden name of bride, approximate date, installation at which married, and name of chaplain.
- For funeral records: Name of deceased person, year of death, and name of next-of-kin.''

* * * * *

RECORD SOURCE CATEGORIES:

Delete entry and replace with ''Information was received from any service member, his/her dependent, authorized civilian personnel, or retired service member for whom an Army chaplain has performed a baptism, marriage, or funeral.''

* * * * *

[FR Doc. 2014–13890 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2014–0023]

Privacy Act of 1974; System of Records

AGENCY: Department of the Army, DoD.

ACTION: Notice to alter a system of records.

SUMMARY: The Department of the Army proposes to alter a system of records notice, A0040–5b DASG, Army Behavioral Health Integrated Data Environment (ABHIDE)'' in its existing inventory of records systems subject to the Privacy Act of 1974, as amended. This system will support operational public health practices and maintain a record of work places, training, exposures (occupational and environmental), medical surveillance, ergonomic recommendations, corrections and any medical care provided for eligible individuals. As the Army's public health authority, the U.S. Army Public Health Command (USAPHC) and Army Institute of Public Health is authorized to collect or receive such information for the purpose of

preventing or controlling disease, injury, or disability, the reporting of disease, injury, vital events, such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective on the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Mr. Leroy Jones, Department of the Army, Privacy Office, U.S. Army Records Management and Declassification Agency, 7701 Telegraph Road, Casey Building, Suite 144, Alexandria, VA 22325–3905 or by calling (703) 428–6185.

SUPPLEMENTARY INFORMATION: The Department of the Army's notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or from the Defense Privacy and Civil Liberties Office Web site at *http://dpclo.defense.gov/.* The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act, as amended were submitted on May 30, 2014, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A–130, ''Federal Agency Responsibilities for Maintaining Records About Individuals,'' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: June 10, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

A0040–5b DASG

SYSTEM NAME:

Army Behavioral Health Integrated Data Environment (ABHIDE) (December 1, 2009, 74 FR 62765)

CHANGES:

* * * * *

SYSTEM NAME:

Delete entry and replace with ''Army Public Health Data Repository (APHDR).''

SYSTEM LOCATION:

Delete entry and replace with ''Primary location: U.S. Army Public Health Command, Army Institute of Public Health, 5158 Blackhawk Road, Aberdeen Proving Ground, Maryland 21010–5403.

SECONDARY LOCATIONS:

U.S. Army Medical Command facilities and activities. Official mailing addresses can be found from Army Medicine Web site, *http://www.armymedicine.army.mil.*''

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with ''Army active duty, National Guard, Reserve and retired, government civilian employees, subjects, suspects, victims or witnesses that may have been involved in or witnessed a crime or incident. Additional special populations include U.S. Military Academy and Reserve Officer Training Corps cadets, when engaged in directed training; foreign national military assigned to Army Components, and non-appropriated fund personnel employed by the Army for whom specific occupational health examinations and ergonomic evaluations have been conducted and/or requested; or have sustained a documented occupational injury or illness. Pertinent records on Army military and civilian personnel previously assigned with the Navy, Marines, Air Force or Coast Guard will be available in the APHDR for review.''

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''Personal Information: Records being maintained include name, rank/grade, military status, branch of Service, date of birth, ethnicity, Social Security Number (SSN), DoD ID Number, marital history, occupation, job series, pay plan and grade, assignments, deployment history, Armed Forces Qualification Test scores, education, certification and training history, drug and alcohol screening results, casualty information, and fitness test results.

MEDICAL/CLINICAL DATA:

Selected electronic data elements from inpatient and outpatient medical records including dates, tests, procedures, referrals, diagnoses and treatments; pharmacy records; suicide event reports; medical readiness information including physical limitation (profile) codes and immunization records; air evacuation patient records; Wounded Warrior lifecycle information; Medical and Physical Evaluation Board records; and neuropsychological functioning and cognitive testing. Also included are responses from self-reporting tools, such as the periodic and deployment-related health assessments; and surveys or interviews accomplished as part of focused, local epidemiological investigations.

OCCUPATIONAL AND ENVIRONMENTAL EXPOSURE DATA:

Exposure data related to all types of health hazards associated with military service, including garrison and deployed settings. Electronic data supporting exposure-based medical surveillance including environmental testing programs (air, soil, water); industrial hygiene monitoring programs; occupational monitoring programs (e.g., hearing conservation, radiation dosimetry, ergonomic evaluations, etc.); injury prevention programs; safety and incident reporting; personnel protective equipment and medical programs required to limit exposure to environmental safety and health hazards; and operational reports of combat exposure during deployments.

LEGAL INFORMATION:

Criminal investigation and military police report details to include date and location of incident, incident descriptions, criminal charges documented, suspect, subject and victim information, report number which allows access to records noted; domestic violence actions and descriptions including type and date of incident. Information, to include article violations and outcomes related to actions conducted under the Uniform Code of Military Justice (UCMJ), encompassing administrative action, non-judicial punishment and all courts martial.

Note: Records of identity, diagnosis, prognosis, or treatment of any client/patient, irrespective of whether or when he/she ceases to be a client/patient, maintained in connection with the performance of any alcohol or drug abuse prevention and treatment function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, shall, except as provided therein, be confidential and be disclosed only for the purposes and under the circumstances expressly authorized in 42 U.S.C. 290dd–2, Confidentiality of Records. This statute takes precedence over the Privacy Act of 1974 in regard to accessibility of such records except to the individual to whom the record pertains. This statute takes precedence over the Privacy Act of 1974 to the extent that disclosure is more limited. However, access to the record by the individual to whom the record pertains is governed by the Privacy Act.''

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with ''10 U.S.C. 3013, Secretary of the Army; 5 U.S.C. 7902, Safety Programs; 29 U.S.C. 668, Programs of Federal Agencies; 29 CFR 1910, Occupational Safety and Health Standards; 42 U.S.C. 290dd–2, Substance Abuse and Mental Health Services; E.O. 12223, Occupational Safety Health Programs for Federal Employees; DoD Instruction 6490.2E, Comprehensive Health Surveillance; DoD Instruction 6015.23, Delivery of Healthcare at Military Treatment Facilities (MTFs); DoD Instruction 1300.18, Personnel Casualty Matters, Policies, and Procedures; Army Regulation 40–5, Preventive Medicine; Army Regulation 40–66, Medical Record Administration and Health Care Documentation; Army Regulation 195–2, Criminal Investigation Activities; Army Regulation 600–85, Army Substance Abuse Program; Army Regulation 600–8–104, Military Personnel Information Management/Records; Army Regulation 608–18, The Family Advocacy Program; and E.O. 9397 (SSN), as amended.''

PURPOSE(S):

Delete entry and replace with ''To support operational public health practices and maintain a record of work places, training, exposures (occupational and environmental), medical surveillance, ergonomic recommendations, corrections and any medical care provided for eligible individuals. As the Army's public health authority, the U.S. Army Public Health Command (USAPHC) and Army Institute of Public Health is authorized to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, the reporting of disease, injury, vital events, such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions.''

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Delete entry and replace with ''In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, these records contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The DoD Blanket Routine Uses set forth at the beginning of the Army's compilation of systems of records notices may apply to this system.

Note: This system of records contains protected health information. The DoD Health Information Privacy Regulation (DoD 6025.18–R) issued pursuant to the Health Insurance Portability and Accountability Act of 1996, applies to most such health information. DoD 6025.18–R may place additional procedural requirements on the uses and disclosures of such information beyond those found in the Privacy Act of 1974, as amended, or mentioned in this system of records notice.''

* * * * *

RETRIEVABILITY:

Delete entry and replace with ''By member's surname, DoD ID number or SSN.''

* * * * *

RETENTION AND DISPOSAL:

Delete entry and replace with ''Disposition pending until the National Archives and Records Administration approves retention and disposal schedule. Records will be treated as permanent.''

* * * * *

NOTIFICATION PROCEDURE:

Delete entry and replace with ''Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Director, U.S. Army Institute of Public Health, 5158 Blackhawk Road, Aberdeen Proving Ground, Maryland 21010–5403 or Chief Information Officer, Office of the Surgeon General, U.S. Army Medical Command, 2050 Worth Road, Suite 13, Fort Sam Houston, TX 78234–6013, or to the Patient Administrator at the appropriate medical treatment facility.

Individual should provide full name, mailing address, SSN or DoD ID number and military status and, if required, other information verifiable from the record itself.

In addition, the requester must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

IF EXECUTED OUTSIDE THE UNITED STATES:

'I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)'.

If executed within the United States, its territories, possessions, or commonwealths: 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'.''

RECORD ACCESS PROCEDURES:

Delete entry and replace with ''Individuals seeking access to information about themselves contained in this system should address written inquiries to the Director, U.S. Army Institute of Public Health, 5158 Blackhawk Road, Aberdeen Proving Ground, Maryland 21010–5403 or Chief Information Officer, Office of the Surgeon General, U.S. Army Medical Command, 2050 Worth Road, Suite 13, Fort Sam Houston, TX 78234–6013, or to the Patient Administrator at the appropriate medical treatment facility.

Individual should provide full name, mailing address, SSN or DoD ID number and military status and, if required, other information verifiable from the record itself.

In addition, the requester must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

IF EXECUTED OUTSIDE THE UNITED STATES:

'I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)'.

IF EXECUTED WITHIN THE UNITED STATES, ITS TERRITORIES, POSSESSIONS, OR COMMONWEALTHS:

'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'.''

* * * * *

RECORD SOURCE CATEGORIES:

Delete entry and replace with ''Data contained in this system is collected from the individual, Army offices, the Defense Medical Surveillance System

(DMSS) and the Defense Manpower Data Center (DMDC).''

* * * * *

[FR Doc. 2014–13889 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2014–0019]

Privacy Act of 1974; System of Records

AGENCY: Department of the Navy, DoD.

ACTION: Notice to alter a System of Records.

SUMMARY: The Department of the Navy proposes to alter the system of records, NM07010–1, entitled ''DON Non-Appropriated Funds Standard Payroll System'', in its inventory of record systems subject to the Privacy Act of 1974, as amended. This system will be used to compute employees' pay entitlements and deductions and issue payroll checks for amounts due; to withhold amounts due for Federal, state, and city taxes, to remit withholdings to the taxing authorities, and to report earnings and tax collections; and upon request of employees, to deduct specified amounts from earnings for charity, union dues, and for allotments to financial organizations.

DATES: Comments will be accepted on or before July 16, 2014. This proposed action will be effective the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Robin Patterson, Head, PA/FOIA Office (DNS–36), Department of the Navy, 2000 Navy Pentagon, Washington, DC 20350–2000, or by phone at (202) 685–6545.

SUPPLEMENTARY INFORMATION: The Department of the Navy's notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or from the Defense Privacy and Civil Liberties Web site at *http://dpclo.defense.gov/.*

The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on May 16, 2014, to the House Committee on Oversight and Government Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A–130, ''Federal Agency Responsibilities for Maintaining Records About Individuals,'' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: June 10, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

NM07010–1

SYSTEM NAME:

DON Non-Appropriated Funds Standard Payroll System (December 20, 2004, 69 FR 75937).

CHANGES:

* * * * *

SYSTEM LOCATION:

Delete entry and replace with ''Non-appropriated activities in the Department of the Navy (DON). Official mailing addresses are published in the Standard Navy Distribution List available as an appendix to the Navy's compilation of system of records notices and may be obtained from the System Manager.''

* * * * *

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''Individual name, Social Security Number (SSN), DoD ID Number, mailing/home address, amount of pay, status of payment, history of the claim; and information concerning individual record to include time and attendance records; personal payroll data listings; correspondence; combined payroll checks and employee leave and earning statements; Federal, state, and city tax reports and or tapes; and individual pay and leave records.''

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with ''10 U.S.C. 5013, Secretary of the Navy; CNICINST–7000.3, Accounting Procedures for Non-Appropriated Funds; and E.O. 9397 (SSN), as amended.''

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Delete entry and replace with ''In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, these records contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To the Internal Revenue Service to record wages earned, tax withheld and social security information.

To state revenue departments to credit employee's state withholding.

To state employment agencies which require wage information to determine eligibility for unemployment compensation benefits of former employees.

To city revenue departments of appropriate cities to credit employees for city tax withheld.

The DoD Blanket Routine Uses set forth at the beginning of the Department of Navy's compilation of system of records notices may apply to this system.

Note: Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12) may be made from this system to 'consumer reporting agencies' as defined in the Fair Credit Reporting Act (14 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purpose of this disclosure is to aid in the collection of outstanding debts owed to the Federal government, typically to provide an incentive for debtors to repay delinquent Federal government debts by making these debts part of their credit records.

The disclosure is limited to information necessary to establish the identity of the individual, including name, address, and taxpayer identification number (Social Security Number), the amount, status, and history of the claim; and the agency or program under which the claim arose for the sole purpose of allowing the consumer reporting agency to prepare a commercial credit report.''

* * * * *

STORAGE:

Delete entry and replace with ''Paper and electronic storage media.''

RETRIEVABILITY:

Delete entry and replace with ''Name and/or SSN.''

SAFEGUARDS:

Delete entry and replace with ''Access to records is limited to person(s) responsible for servicing the record system in the performance of their official duties and who have been properly screened, trained, and have a need-to-know. Paper records are stored in security files container/cabinets and safes. Physical access is controlled by guards, personnel screening and visitor registers. Information maintained on a computer requires Common Access Card (CAC), Public Key Infrastructure (PKI), and/or User ID and password.''

RETENTION AND DISPOSAL:

Delete entry and replace with ''Records are transferred to the National Personnel Records Center and then destroyed when 56 years old.''

SYSTEM MANAGER(S) AND ADDRESS:

Delete entry and replace with ''Head, NAF Accounting Section, Commander, Navy Installations Command, Millington Detachment, 5720 Integrity Drive, Millington, TN 38055–6500.

Record Holder in Non-appropriated fund activities in the Department of the Navy.

Official mailing addresses are published in the Standard Navy Distribution List available as an appendix to the Navy's compilation of system of records notices and may be obtained from the System Manager.''

NOTIFICATION PROCEDURE:

Delete entry and replace with ''Individuals seeking to determine whether this system of records contains information about themselves should address written inquiries to the commanding officer of the activity in question. Official mailing addresses are published in the Standard Navy Distribution List available as an appendix to the Navy's compilation of system of records notices and may be obtained from the System Manager.

The request should include full name, SSN, address of the individual concerned, and should be signed.

The system manager may require an original signature or a notarized signature as a means of proving the identity of the individual requesting access to the records.''

RECORD ACCESS PROCEDURES:

Delete entry and replace with ''Individuals seeking access to information about themselves contained in this system of records should address written inquiries to the commanding officer of the activity in question. Official mailing addresses are published in the Standard Navy Distribution List available as an appendix to the Navy's compilation of system of records notices and may be obtained from the System Manager.

The request should include full name, SSN, address of the individual concerned, and should be signed.

The system manager may require an original signature or a notarized signature as a means of proving the identity of the individual requesting access to the records.''

* * * * *

[FR Doc. 2014–13921 Filed 6–13–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2014–ICCD–0088]

Agency Information Collection Activities; Comment Request; Master Generic Plan for Customer Surveys and Focus Groups

AGENCY: Department of Education.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing an extension of an existing information collection. Department of Education as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on the ''Master Generic Plan for Customer Surveys and Focus Groups'' for approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 et seq.). This collection was developed as part of a Federal Government-wide effort to streamline the process for seeking feedback from the public on service delivery. This notice announces our intent to submit this collection to OMB for approval and solicits comments on specific aspects for the proposed information collection.

A copy of the supporting statement is available at *www.regulations.gov* (see Docket ID ED–2014–ICCD–0088).

DATES: Consideration will be given to all comments received by August 15, 2014.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2014–ICCD–0088 or via postal mail, commercial delivery, or hand delivery. If the regulations.gov site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted; ED will ONLY accept comments during the comment period in this mailbox when the regulations.gov site is not available.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Mailstop L–OM–2–2E319, Room 2E105, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Stephanie Valentine, 202–401–0526.

SUPPLEMENTARY INFORMATION:

Title: Master Generic Plan for Customer Surveys and Focus Groups.

OMB Control Number: 1800–0011.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Individuals or households.

Total Estimated Number of Annual Responses: 451,322.

Total Estimated Number of Annual Burden Hours: 115,344.

Projected average estimates for the next three years:

Average Expected Annual Number of Activities: 70.

Average Number of Respondents per Activity: 500.

Annual Responses: 451,322.

Frequency of Response: Once per request.

Average Minutes per Response: .08.

Burden Hours: 115,344.

Abstract: Surveys to be considered under this generic will only include those surveys that improve customer service or collect feedback about a service provided to individuals or entities directly served by ED. The results of these customer surveys will help ED managers plan and implement program improvements and other customer satisfaction initiatives. Focus groups that will be considered under the generic clearance will assess customer satisfaction with a direct service, or will be designed to inform a customer satisfaction survey ED is considering. Surveys that have the potential to influence policy will not be considered under this generic clearance.

Dated: June 11, 2014.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2014–13990 Filed 6–13–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP14–1036–000.
Applicants: Dauphin Island Gathering Partners.
Description: Negotiated Rates 06–05–14 to be effective 6/6/2014.
Filed Date: 6/5/14.
Accession Number: 20140605–5039.
Comments Due: 5 p.m. ET 6/17/14.

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.

Filings in Existing Proceedings

Docket Numbers: RP95–408–081.
Applicants: Columbia Gas Transmission, LLC.
Description: Annual Report on Sharing Profits from Base Gas Sales with Customers of Columbia Gas Transmission, LLC.
Filed Date: 5/1/14.
Accession Number: 20140501–5396.
Comments Due: 5 p.m. ET 6/9/14.

Docket Numbers: RP14–118–004.
Applicants: WBI Energy Transmission, Inc.
Description: Stipulation & Agreement of Settlement to be effective 5/1/2014.
Filed Date: 6/4/14.
Accession Number: 20140604–5124.
Comments Due: 5 p.m. ET 6/16/14.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR § 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

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. 2014–13917 Filed 6–13–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP14–870–000.

Applicants: Questar Southern Trails Pipeline Company.

Description: Annual Fuel Gas Reimbursement Report for 2014 of Questar Southern Trails Pipeline Company.

Filed Date: 5/13/14.

Accession Number: 20140513–5195.

Comments Due: 5 p.m. ET 6/6/14.

Docket Numbers: RP14–871–000.

Applicants: White River Hub, LLC.

Description: Annual Fuel Gas Reimbursement Report for 2014 of White River Hub, LLC.

Filed Date: 5/13/14.

Accession Number: 20140513–5196.

Comments Due: 5 p.m. ET 6/6/14.

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.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–13916 Filed 6–13–14; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Submitted to the Office of Management and Budget for Review and Approval

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information burden for small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB control number.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before July 16, 2014. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Submit your PRA comments to Nicholas A. Fraser, Office of Management and Budget, via fax at 202–395–5167 or via Internet at *Nicholas_A._Fraser@omb.eop.gov* and to Benish Shah, Federal Communications Commission, via the Internet at *Benish.Shah@fcc.gov.* To submit your PRA comments by email send them to: *PRA@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: Benish Shah, Office of Managing Director, (202) 418–7866.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0004.

Title: Sections 1.1307 and 1.1311, Guidelines for Evaluating the Environmental Effects of Radiofrequency Exposure.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households, business or other for-profit, not-for-profit institutions, and state, local or tribal government.

Number of Respondents: 305,612 Respondents; 305,612 Responses.

Estimated Time per Response: 0.31 hours (average).

Frequency of Response: On occasion reporting requirement and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in *47 U.S.C. 154, 302, 303* and *307.*

Total Annual Burden: 50,065 hours.

Total Annual Cost: $1,396,150.

Privacy Act Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is a minimal exemption from the Freedom of Information Act (FOIA), *5 U.S.C. 552(b)(4),* and *47 CFR 0.459* of the Commission's rules, that is granted for trade secrets, which may be submitted to the Commission as part of the documentation of test results. The exemption is normally granted for a short time (weeks to months) for requests relating to routine authorizations and for a longer time for requests relating to experimental authorizations. No other assurances of confidentiality are provided to respondents.

Needs and Uses: The Commission will submit this expiring information collection to the Office of Management and Budget (OMB) after this 60-day comment period in order to obtain the full three-year clearance from them. The Commission is requesting OMB approval for an extension. The Commission has adjusted the total number of respondents/responses, the total annual hourly burden, and the total annual cost to respondents from the previous estimates, based on a division of reporting between licensing and equipment authorization functions. Licenses are typically issued to entities (including individuals) to operate specific facilities at specific locations; an example would be a FM broadcast license, which authorizes operation of an FM broadcast transmitter at a specific location that cannot be changed without FCC permission. Equipment authorizations are typically issued to entities to market equipment to the public; an example would be a cellular telephone, which can be purchased by any individual and operated at-will without a specific license. Additionally, the portion of the information collection relating to equipment authorization is now being captured and reported in OMB 3060–0057.

This information collection is a result of responsibility placed on the FCC by the National Environmental Policy Act (NEPA) of 1969. NEPA requires that each federal agency evaluate the impact of ''major actions significantly affecting the quality of the human environment.'' It is the FCC's opinion that this is the most efficient and reasonable method of complying with NEPA with regard to the environmental issue of radiofrequency radiation from FCC-regulated transmitters.

The Commission requires applicants to submit limited information during the licensing and authorization process. In many services, the Commission simply requires licensees to provide reliable service to specific geographic areas, but does not require licensees to file site-specific information. It does not appear that the FCC's present licensing methods can provide public notification of site-specific information without imposing new and significant additional burden to the Commission's applicants. However, we note that applicants with the greatest potential to exceed the Commission's exposure limits are required to perform an environmental evaluation as part of the licensing and authorization process.

The Commission advises concerned members of the public, seeking site-specific information, to contact the FCC for the name and telephone number of the service providers in the concerned party's area. The Commission encourages all service providers to provide site-specific, technical information and environmental evaluation documentation upon public request. In addition, we note alternative sources of information may be state and local governments, which may collect some site-specific information as part of the zoning process.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–13977 Filed 6–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Submitted for Review and Approval to the Office of Management and Budget (OMB)

AGENCY: Federal Communications Commission (FCC).

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3502–3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimates; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB Control Number.

DATES: Written PRA comments should be submitted on or before July 16, 2014. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Submit your PRA comments to Nicholas A. Fraser, Office of Management and Budget (OMB), via fax at 202–395–5167, or via the Internet at *Nicholas_A._Fraser@omb.eop.gov* and to Leslie F. Smith, Office of Managing Director (OMD), Federal Communications Commission (FCC), via the Internet at *Leslie.Smith@fcc.gov.* To submit your PRA comments by email, please send them to: *PRA@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: Leslie F. Smith, Office of Managing Director (OMD), Federal Communications Commission (FCC), at

202–418–0217, or via the Internet at: *Leslie.Smith@fcc.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–1046.

Title: Part 64, Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents: 469 respondents; 3,725 responses.

Estimated Time per Response: 0.50 hours–200 hours.

Frequency of Response: On occasion, annual, and quarterly reporting requirements; third party disclosure requirements; and recordkeeping requirement.

Obligation To Respond: Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. sections 151, 154 and 276.

Total Annual Burden: 73,494 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The Commission is not requesting respondents to submit confidential information. Respondents may request confidential treatment of their information that they believe to be confidential pursuant to 47 CFR 0.459 of the Commission's rules.

Needs and Uses: In the *Order on Reconsideration* (FCC 04–251), the Commission considered four petitions for reconsideration of our Report and Order. The Report and Order (FCC 03–235) established detailed rules (Payphone Compensation Rules) ensuring that payphone service providers or PSPs are ''fairly compensated'' for each and every completed payphone-originated call pursuant to section 276 of the Communications Act, as amended (the Act). The Payphone Compensation Rules satisfy section 276 by identifying the party liable for compensation and establishing a mechanism for PSPs to be paid. The Payphone Compensation Rules: (1) Place liability to compensate PSPs for payphone-originated calls on the facilities-based long distance carriers or switch-based resellers (SBRs) from whose switches such calls are completed; (2) define these responsible carriers as ''Completing Carriers'' and require them to develop their own system of tracking calls to completion, the accuracy of which must be confirmed and attested to by a third-party auditor; (3) require Completing Carriers to file with PSPs a quarterly report and also submit an attestation by the chief financial officer (CFO) that the payment amount for that quarter is accurate and is based on 100% of all completed calls; (4) require quarterly reporting obligations for other facilities-based long distance carriers in the call path, if any, and define these carriers as ''Intermediate Carriers;'' (5) give parties flexibility to agree to alternative compensation arrangements (ACA) so that small Completing Carriers may avoid the expense of instituting a tracking system and undergoing an audit. The Order on Reconsideration did not change this compensation framework, but rather refined and built upon its approach. While the Commission increased the time carriers must retain certain data and added burden in that regard, the Commission also removed potentially burdensome paperwork requirements by encouraging carriers to comply with the reporting requirements through electronic means. We believe that the clarifications adopted in the Order on Reconsideration significantly decrease the paperwork burden on carriers. Specifically, the Commission did the following: (1) Clarified alternative arrangements for small businesses requiring a Completing Carrier to give the PSP adequate notice of an ACA prior to its effective date with sufficient time for the PSP to object to an ACA, and also prior to the termination of an ACA; (2) clarified any paperwork burdens imposed on carriers allowing Completing Carriers the ability to give PSPs adequate notice of payphone compensation requirements by placing notice on a clearinghouse Web site or through electronic methods; (3) required Completing Carriers and Intermediate Carriers to report only completed calls in their quarterly reports; and (4) extended the time period from 18 to 27 months for Completing Carriers and Intermediate Carriers to retain certain payphone records.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–13979 Filed 6–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Submitted to the Office of Management and Budget for Review and Approval

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information burden for small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB control number.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before July 16, 2014. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Submit your PRA comments to Nicholas A. Fraser, Office of Management and Budget, via fax at 202–395–5167 or via Internet at *Nicholas_A._Fraser@omb.eop.gov* and to Benish Shah, Federal Communications Commission, via the Internet at *Benish.Shah@fcc.gov.* To submit your PRA comments by email send them to: *PRA@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: Benish Shah, Office of Managing Director, (202) 418–7866.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060–1113.

Title: Commercial Mobile Alert System (CMAS).

Form No: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents: 1,253 respondents; 3,759 responses.

Estimated Time per Response: 30 minutes (.5 hour).

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained 47 U.S.C. sections 151, 154(i), 154(j), 154(o), 218, 219, 230, 256, 302(a), 303(g), 303(j), 303(r), 403, 621(b)(3), and 621(d).

Total Annual Burden: 28,193 hours.

Total Annual Costs: N/A.

Privacy Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is no need for confidentiality.

Needs and Uses: This collection will be submitted as an extension (no change in reporting requirements) during the comment period to the Office of Management and Budget (OMB) in order to obtain OMB approval for an extension because on August 7, 2008, the FCC released a *Third Report and Order* in PS Docket No. 07–287, FCC 08–184 *(CMAS Third R&O).*

The *CMAS Third R&O* implements provisions of the Warning, Alert and Response Network (''WARN'') Act, including inter alia, a requirement that within 30 days of release of the *CMAS Third R&O,* each Commercial Mobile Service (CMS) provider must file an election with the Commission indicating whether or not it intends to transmit emergency alerts as part of the Commercial Mobile Alert System (CMAS). The *CMAS Third R&O* noted that this filing requirement was subject to OMB review and approval. The Commission received ''pre-approval'' from the OMB on February 4, 2008. The Commission began accepting CMAS election filings on or before September 8, 2008.

All CMS providers are required to submit a CMAS election, including those that were not licensed at the time of the initial filing deadline with the FCC. In addition, any CMS provider choosing to withdraw its election must notify the Commission at least sixty (60) days prior to the withdrawal of its election. The information collected will be the CMS provider's contact information and its election, i.e., a ''yes'' or ''no'', on whether it intends to provide commercial mobile service alerts.

The Commission will use the information collected to meet its statutory requirement under the WARN Act to accept licensees' election filings and to establish an effective CMAS that will provide the public with effective mobile alerts in a manner that imposes minimal regulatory burdens on affected entities.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–13980 Filed 6–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and further ways to reduce the information burden for small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid Control Number.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before August 15, 2014. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Submit your PRA comments to Leslie F. Smith, Office of Managing Director (OMD), Federal Communications Commission (FCC), via the Internet at *Leslie.Smith@fcc.gov*. To submit your PRA comments by email, send them to *PRA@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Leslie F. Smith at (202) 418–0217, or via the Internet at *PRA@fcc.gov*.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0760.

Title: 272 Sunset Order, WC Docket No. 06–120; Access Charge Reform, CC Docket No. 96–262, First Report and Order; Second Order on Reconsideration and Memorandum Opinion and Order; and Fifth Report and Order.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 13 respondents; 367 responses.

Estimated Time per Response: Approximately 3–300 hours.

Frequency of Response: One-time reporting requirement; on-occasion reporting requirement; third-party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151, 154(i), 155, 201–205, and 303(r) of the Communications Act of 1934, as amended.

Total Annual Burden: 6,170 hours.

Total Annual Cost: $310,115.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The information requested is not of a confidential nature. However, respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: In an August 1999 *Fifth Report and Order and Further Notice of Proposed Rulemaking* (*Pricing Flexibility Order*), CC Docket 96–262 *et al.,* the Commission adopted detailed rules so that incumbent local exchange carriers subject to price cap regulation could receive pricing flexibility in the provision of interstate access services as competition for those services developed, 47 CFR 69.701 *et seq.* Pursuant to these rules, a carrier is required to file a petition with the Commission demonstrating that the competitive showings contained in the

rules are satisfied to receive various levels of pricing flexibility. These showings, which focus on unaffiliated collocations in wire centers, are intended to measure the presence of competition in a given Metropolitan Statistical Area (MSA) or non-MSA so that regulatory relief is granted where warranted. The Commission's rules provide that petitions for pricing flexibility for special access services that are not denied within 90 days after the close of the pleading cycle are deemed granted.

In an August 2012 *Report and Order,* FCC 12–92, 57 FR 57504 (Sept. 12, 2012), the Commission suspended, on an interim basis, the 90-day deadline for the granting of pricing flexibility pending adoption of a new regulatory framework. Notwithstanding the temporary suspension, the Commission is seeking Office of Management and Budget (OMB) approval for an extension to obtain the full three-year clearance for this expiring collection in the event the suspension is lifted. The Commission will separately seek OMB's approval for any subsequent modification of this collection, as a result of changes to the pricing flexibility rules, in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–13975 Filed 6–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before August 15, 2014. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* <*mailto:PRA@fcc.gov*> and to *Cathy.Williams@fcc.gov* <*mailto:Cathy.Williams@fcc.gov*>.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060–1008.

Title: Section 27.50, Power and Antenna Height Limits; Section 27.602, Guard Band Manger Agreements.

Form No.: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit, and State, Local or Tribal Government.

Number of Respondents and Responses: 395 respondents and 444 responses.

Estimated Time per Response: 30 minutes up to 6 hours.

Frequency of Response: Recordkeeping requirement, On occasion reporting requirement and Third party disclosure requirement.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in 47 U.S.C. 151, 154(i), 157 and 309(j), as amended.

Total Annual Burden: 519 hours.

Annual Cost Burden: None.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: The information gathered in this collection will be used to support the development of new services in the Lower 700 MHz Band. Further, Guard Band Managers are required to enter into written agreements with other licensees who plan on using their licensed spectrum by others, subject to certain conditions outlined in the rules. They must retain these records for at least two years after the date such agreement expire. Such records need to be kept current and be made available upon request for inspection by the Commission or its representatives.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–13972 Filed 6–13–14; 8:45 am]

BILLING CODE 6712–01–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 July 1, 2014.

A. Federal Reserve Bank of Cleveland (Nadine Wallman, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101–2566:

1. *George and Georgia Gia Bavelis, both of Upper Arlington, Ohio; Tina Bavelis Manokas and Tasos Manokas; and Niki Bavelis Callahan,* all of Columbus, Ohio; to retain voting shares of Heartland Bancorp, and thereby indirectly retain voting shares of Heartland Bank, both in Gahanna, Ohio.

Board of Governors of the Federal Reserve System, June 11, 2014.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2014–13999 Filed 6–13–14; 8:45 am]

BILLING CODE 6210–01–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 the NIOSH Childhood Agriculture, RFA OH–14–005, 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: 1:00 p.m.–4:00 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 To Be Discussed: The meeting will include the initial review, discussion, and evaluation of applications received in response to ''NIOSH Childhood Agriculture, RFA OH–14–005.''

Contact Person for More Information: Nina Turner, Ph.D., Scientific Review Officer, 1095 Willowdale Road, Morgantown, WV 26506, Telephone: (304) 285–5976.

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. 2014–13998 Filed 6–13–14; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2010–N–0420]

Agency Information Collection Activities; Proposed Collection; Comment Request; Testing Communications on Food and Drug Administration-Regulated Products Used in Animals

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) 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 and to allow 60 days for public comment in response to the notice. This notice solicits comments on communication studies involving FDA-regulated products intended for use in animals. This information will be used to explore concepts of interest and assist in the development and modification of communication messages and campaigns to fulfill the Agency's mission to protect the public health.

DATES: Submit written or electronic comments on the collection of information by August 15, 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 before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites 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.

Testing Communications on FDA/Center for Veterinary Medicine (CVM)—Regulated Products Used in Animals—21 U.S.C. 393(d)(2)(D) (OMB Control Number 0910–0689)—Extension

FDA is authorized by section 393(d)(2)(D) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 393(d)(2)(D)) to conduct educational and public information programs relating to the safety of CVM-regulated products. FDA must conduct needed research to ensure that such programs have the highest likelihood of being effective. FDA expects that improving communications about the safety of regulated animal drugs, feed, food additives, and devices will involve many research methods, including individual indepth interviews, mall-intercept interviews, focus groups, self-administered surveys, gatekeeper reviews, and omnibus telephone surveys.

The information collected will serve three major purposes. First, as formative research it will provide critical knowledge needed about target audiences to develop messages and campaigns about the use of FDA-regulated products for use in animals. Knowledge of consumer and veterinary professional decision-making processes will provide the better understanding of target audiences that FDA needs to design effective communication

strategies, messages, labels, and labeling. These communications will aim to improve public understanding of the risks and benefits of using regulated animal drugs, feed, food additives, and devices by providing users with a better context in which to place risk information more completely.

Second, as initial testing, it will allow FDA to assess the potential effectiveness of messages and materials in reaching and successfully communicating with their intended audiences. Testing messages with a sample of the target audience will allow FDA to refine messages while still in the developmental stage. Respondents will be asked to give their reaction to the messages in either individual or group settings.

Third, as evaluative research, it will allow FDA to ascertain the effectiveness of the messages and the distribution method of these messages in achieving the objectives of the message campaign. Evaluation of campaigns is a vital link in continuous improvement of communications at FDA.

FDA estimates the burden of this collection of information based on recent prior experience with the various types of data collection methods described in this document:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

21 U.S.C. 393(d)(2)(D)	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Individual Indepth Interviews	360	1	360	0.75 (45 minutes)	270
General Public Focus Group Interviews	288	1	288	1.5	432
Intercept Interviews: Central Location	600	1	600	0.25 (15 minutes)	150
Intercept Interviews: Telephone	[2] 10,000	1	10,000	0.08 (5 minutes)	800
Self-Administered Surveys	2,400	1	2,400	0.25 (15 minutes)	600
Gatekeeper Reviews	400	1	400	0.50 (30 minutes)	200
Omnibus Surveys	2,400	1	2,400	0.17 (10 minutes)	408
Total (General Public)	16,448		16,448		2,860
Veterinarian/Scientific Expert Focus Group Interviews	288	1	288	0.75	216
Total (Veterinarians/Scientific Experts)	288	1	288		216
Total (Overall)	16,736	1	16,736		3,076

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.
[2] These are brief interviews with callers to test message concepts and strategies following their call-in request to an FDA Center 1–800 number.

Annually, FDA projects about 30 studies with 16,736 respondents, using a variety of research methods and lasting an average of 0.17 hours each (varying from 0.08–1.5 hours).

Dated: June 9, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13929 Filed 6–13–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–P–1654]

Determination That LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 Milligrams/1 Milliliter, 10 Milliliter Total Fill Volume, Was 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) has determined that LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 milligrams (mg)/1 milliliter (mL), 10 mL total fill volume, was not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, if all other legal and regulatory requirements are met.

FOR FURTHER INFORMATION CONTACT: Darren Eicken, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6206, Silver Spring, MD 20993–0002, 240–402–0978.

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 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. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

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 approving 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.

LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, is the subject of ANDA 40147, held by Hospira, Inc. (Hospira), and was initially approved on June 25, 1997. LEUCOVORIN CALCIUM-

PRESERVATIVE FREE is indicated for treatment of megaloblastic anemia and to counteract the therapeutic and toxic effects of folic acid antagonists.

In a letter dated January 14, 2005, Hospira notified FDA that LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, was being discontinued, and FDA moved the drug product to the ''Discontinued Drug Product List'' section of the Orange Book.

Gordon Johnston, on behalf of Gordon Johnston Regulatory Consultants, LLC, submitted a citizen petition dated December 13, 2013 (Docket No. FDA–2013–P–1654), under 21 CFR 10.30, requesting that the Agency determine whether LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, was withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have reviewed the available evidence and determined that this product was not withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. ANDAs that refer to LEUCOVORIN CALCIUM-PRESERVATIVE FREE Injection, 10 mg/1 mL, 10 mL total fill volume, may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Dated: June 10, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13906 Filed 6–13–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2009–D–0011]

International Conference on Harmonisation; Guidance on Q4B Evaluation and Recommendation of Pharmacopoeial Texts for Use in the International Conference on Harmonisation Regions; Annex 6 on Uniformity of Dosage Units General Chapter; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a guidance entitled ''Q4B Evaluation and Recommendation of Pharmacopoeial Texts for Use in the International Conference on Harmonisation Regions; Annex 6: Uniformity of Dosage Units General Chapter.'' The guidance was prepared under the auspices of the International Conference on Harmonisation of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH). The guidance provides the results of the ICH Q4B evaluation of the Uniformity of Dosage Units General Chapter harmonized text from each of the three pharmacopoeias (United States, European, and Japanese) represented by the Pharmacopoeial Discussion Group (PDG). The guidance conveys recognition of the three pharmacopoeial methods by the three ICH regulatory regions and provides specific information regarding the recognition. The guidance is intended to recognize the interchangeability between the local regional pharmacopoeias, thus avoiding redundant testing in favor of a common testing strategy in each regulatory region. The guidance is in the form of an annex to the core guidance on the Q4B process entitled ''Q4B Evaluation and Recommendation of Pharmacopoeial Texts for Use in the ICH Regions'' (core ICH Q4B guidance).

DATES: Submit either electronic or written comments on Agency guidances at any time.

ADDRESSES: Submit written requests for single copies of the guidance to the Division of Drug Information, Center for Drug Evaluation and Research (CDER), 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 (CBER), 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 the office in processing your requests. The guidance may also be obtained by mail by calling CBER at 1–800–835–4709 or 301–827–1800. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

Submit electronic comments on the 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:

Regarding the guidance: Robert H. King, CDER, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 4166, Silver Spring, MD 20993–0002, 301–796–1242; or Stephen Ripley, CBER, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

Regarding the ICH: Michelle Limoli, CDER, International Programs, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 3342, Silver Spring, MD 20993–0002, 301–796–8377.

SUPPLEMENTARY INFORMATION:

I. Background

In recent years, many important initiatives have been undertaken by regulatory authorities and industry associations to promote international harmonization of regulatory requirements. FDA has participated in many meetings designed to enhance harmonization and is committed to seeking scientifically based harmonized technical procedures for pharmaceutical development. One of the goals of harmonization is to identify and then reduce differences in technical requirements for drug development among regulatory agencies.

ICH was organized to provide an opportunity for tripartite harmonization initiatives to be developed with input

from both regulatory and industry representatives. FDA also seeks input from consumer representatives and others. ICH is concerned with harmonization of technical requirements for the registration of pharmaceutical products among three regions: The European Union, Japan, and the United States. The six ICH sponsors are the European Commission; the European Federation of Pharmaceutical Industries Associations; the Japanese Ministry of Health, Labour, and Welfare; the Japanese Pharmaceutical Manufacturers Association; CDER, CBER, and FDA; and the Pharmaceutical Research and Manufacturers of America. The ICH Secretariat, which coordinates the preparation of documentation, is provided by the International Federation of Pharmaceutical Manufacturers Associations (IFPMA).

The ICH Steering Committee includes representatives from each of the ICH sponsors and the IFPMA, as well as observers from the World Health Organization, Health Canada, and the European Free Trade Area.

In the **Federal Register** of February 17, 2009 (74 FR 7449), FDA published a notice announcing the availability of a draft guidance entitled ''Q4B Evaluation and Recommendation of Pharmacopoeial Texts for Use in the ICH Regions; Annex 6: Uniformity of Dosage Units General Chapter.'' The notice gave interested persons an opportunity to submit comments by April 20, 2009.

After consideration of the comments received and revisions to the guidance, a final draft of the guidance was submitted to the ICH Steering Committee and endorsed by the three participating regulatory agencies in November 2013.

The guidance provides the specific evaluation results from the ICH Q4B process for the Uniformity of Dosage Units General Chapter harmonized text originating from the three-party PDG. This guidance is in the form of an annex to the core ICH Q4B guidance (*http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM073405.pdf*) made available in the **Federal Register** of February 21, 2008 (73 FR 9575). The annex will provide guidance to assist industry and regulators in the implementation of the specific topic evaluated by the ICH Q4B process.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the Agency's current thinking on this topic. 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. 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.*

III. 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/Guidances/default.htm,* or *http://www.regulations.gov.*

Dated: June 10, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13908 Filed 6–13–14; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–0731]

Methodological Considerations in Evaluation of Cancer as an Adverse Outcome Associated With Use of Non-Oncological Drugs and Biological Products in the Postapproval Setting; Public Meeting; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public meeting; request for comments.

The Food and Drug Administration (FDA), in collaboration with the National Cancer Institute (NCI), is announcing a public meeting entitled ''Methodological Considerations in Evaluation of Cancer as an Adverse Outcome Associated With Use of Non-Oncological Drugs and Biological Products in the Postapproval Setting.'' The purpose of the public meeting is to engage in constructive dialogue and information sharing among regulators, researchers, the pharmaceutical industry, public health agencies, health care providers, and the general public concerning challenges in designing and implementing postapproval studies to evaluate the risk of cancer associated with use of non-oncological drugs and biological products. The input from this meeting and public docket will be used to inform the Agency on best study design and methodological options to consider when evaluating cancer risk in the postapproval setting.

Dates and Time: The public meeting will be held on September 10, 2014, from 8 a.m. to 5 p.m., and September 11, 2014, from 8 a.m. to 5 p.m.

Location: The public meeting will be held at The DoubleTree by Hilton Hotel Washington DC—Silver Spring, The Maryland Ballroom, 8727 Colesville Rd., Silver Spring, MD 20910 (Metro: Silver Spring Station on the Red Line).

Contact Person: Paul Tran, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 301–796–9029, FAX: 301–796–9832, *Paul.Tran@fda.hhs.gov.*

Registration and Requests for Oral Presentations: Registration is free and available on a first-come, first-served basis. You must register online by August 27, 2014. Seating is limited, so register early. FDA may limit the number of participants from each organization. If time and space permit, onsite registration on the day of the meeting will be available. To register for this meeting, please visit FDA's Drugs News & Events—Meetings, Conferences, & Workshops calendar at *http://www.fda.gov/Drugs/NewsEvents/ucm132703.htm* and select this meeting from the events list. If you need special accommodations due to a disability, please contact Paul Tran (see *Contact Person*) by September 3, 2014. Those without Internet access should contact Paul Tran to register.

This meeting includes a public comment session. If you would like to present at the meeting on topics related to challenges in designing and implementing postapproval studies to evaluate the risk of cancer associated with use of non-oncological drugs and biological products, please identify during registration the topic(s) you will address (see section II).

FDA will do its best to accommodate requests to speak. FDA urges individuals and organizations with common interests to coordinate and give a joint, consolidated presentation. Following the close of registration, FDA will allot time for each presentation and notify presenters by September 3, 2014.

Do not present or distribute commercial or promotional material during the meeting. Registered presenters should check in before the meeting.

Comments: FDA is holding this meeting to seek input on the study design and methodological options for conducting postapproval studies to evaluate cancer as an adverse outcome associated with use of non-oncological drugs and biological products. FDA is soliciting from interested persons electronic or written comments on all aspects of the meeting topics through October 9, 2014.

Attendees and non-attendees may submit electronic comments 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. Send only one set of comments. When sending comments, please include the docket number from the heading of this notice. In addition, when addressing specific topics (see section II), please identify the topic. Received comments may be viewed 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.*

Transcripts: After the meeting, FDA will post a transcript at *http://www.regulations.gov.* The transcript may be viewed at the Division of Dockets Management (see *Comments*). A transcript will also be available in either hardcopy or on CD–ROM upon submission of a Freedom of Information request. Send requests to the Division of Freedom of Information (ELEM–1029), Food and Drug Administration, 12420 Parklawn Dr., Element Bldg., Rockville, MD 20857.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is holding this meeting to seek input from industry, academia, public health agencies, the clinical community, and other stakeholders regarding the study design and methodological options for conducting studies to evaluate cancer as an adverse outcome associated with use of non-oncological drugs and biological products in the postapproval setting.

Questions about whether a drug causes or influences cancer development and how this cancer risk can be evaluated are frequent concerns posed to FDA. Cancer signals can arise from premarket non-clinical and clinical trial data, and also from spontaneous adverse event reports or other studies conducted following a drug's approval. Unfortunately, further evaluation of these cancer signals is hindered by methodological limitations of tools and data available in the postapproval setting, particularly in light of the often complex exposure patterns and expected long latency of certain cancer outcomes. In the preapproval setting, randomized controlled trials (RCTs) are considered the gold standard in evaluating drug efficacy, and can evaluate frequently occurring and short-latency adverse events. However, due to certain limitations, RCTs are not best suited to identify the occurrence of cancer as an adverse outcome associated with drug treatment, although cancer events observed in trials raise concerns. Preapproval RCTs have important limitations, such as use of restricted populations, limited number of participants, as well as short duration and followup time. Postapproval studies, frequently observational, better reflect real-world-use patterns and capture the clinical experience for a larger number of individuals over time. In theory, these studies are better positioned to evaluate rare and longer-latency drug safety signals, including cancer signals. In practice, however, evaluating drug-related cancer outcomes using observational data is hampered by important methodological limitations, including difficulties in determining the timing of the outcome occurrence accurately, difficulties in identifying the biologically relevant period of risk, and challenges in handling complex exposure patterns over time, among others.

Given the many methodological challenges in the postmarketing evaluation of adverse cancer outcomes associated with use of non-oncological products and current gaps in knowledge, FDA, in collaboration with NCI, is sponsoring a public meeting to seek input from industry, academia, public health agencies, the clinical community, and other stakeholders.

The meeting will include multiple sessions over 2 days.

II. Scope of the Meeting

The objective of the meeting is to engage researchers, industry, public health agencies, health care providers, and the public through presentations and panel discussions on the following topics:

Topic 1: Determination of exposure and identification of relevant risk window. The ability to accurately capture complex drug-use patterns over a period of time, to determine the most appropriate exposure metric(s), and to identify the most biologically relevant risk periods are essential elements in the appropriate postapproval evaluation of cancer-related outcomes associated with use of non-oncological drugs and biological products. There is currently no consensus on how these elements should be considered in postapproval studies that evaluate cancer outcomes. Discussions will explore methodologies for determining informative exposure metric(s), thresholds, latency period, and length of followup. These discussions will be based on current knowledge of carcinogenesis, potential underlying biological mechanisms, and particular types of cancers (according to site or histology). Given uncertainties around defining some of these metrics, discussions may consider strategies beyond testing of hypotheses, including the use of exploratory hypotheses and sensitivity analyses, as well as consideration of scenarios under which postapproval studies are unlikely to be informative.

Topic 2: Identification of cancer-related outcome(s). The insidious nature of cancer events makes identification and timing-of-event occurrence challenging. Discussions will focus on relevant methodologies to identify cancer-related outcomes, as well as considerations regarding the challenges involved in identifying the sequence of symptoms that eventually lead to an accurate cancer diagnosis, a sequence that may be initiated before or during drug exposure.

Topic 3: Identification of population/data source. Identifying the relevant characteristics of the data or population source is crucial in conducting and interpreting postapproval evaluations of cancer signals. Discussions will focus on the essential characteristics of population/data source (e.g. administrative databases, registries, clinical encounters, surveys/interviews); the ability to appropriately capture medical history over time; and other information relevant to the evaluation of cancer outcomes, sample size, and participant followup.

Topic 4: Current thinking on cancer biology to inform epidemiology study design. It is noteworthy that recommendations for postapproval study designs to date have been based on the concept that cancer develops over a period of time, long after initiating drug treatment (long latency period). Nonetheless, several cancer-related signals have been observed during preapproval RCTs of non-oncological therapies, trials which typically have short duration of followup. Discussions will focus on the current thinking of potential biological mechanism(s) underlying purported drug-related increase in initiating, promoting, or detecting cancerous

tumors, with particular consideration given to scenarios where cancer signals arise at any time following drug exposure. Discussions will also focus on cancer biology (and the different types of tumors) to inform postapproval evaluation of cancer signals and to better identify the most relevant exposure metric and risk windows.

Information about this meeting, including registration and the agenda, will be posted at *http://www.fda.gov/Drugs/NewsEvents/ucm132703.htm* as it becomes available.

Dated: June 10, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–13907 Filed 6–13–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

American Indians Into Psychology

Announcement Type: New and Competing Continuation.

Funding Announcement Number: HHS–2014–IHS–INPSY–0001.

Catalog of Federal Domestic Assistance Number: 93.970.

Key Dates

Application Deadline Date: July 18, 2014.

Review Date: July 28, 2014.

Earliest Anticipated Start Date: September 01, 2014.

Proof of Non-Profit Status Due Date: July 18, 2014.

I. Funding Opportunity Description

Statutory Authority

The Indian Health Service (IHS) Office of Public Health Support (OPHS) is accepting competitive cooperative agreement applications for the American Indians into Psychology Program (Section 217). This program is authorized under Section 217 of the Indian Health Care Improvement Act, Public Law 94–437, as amended (IHCIA), codified at 25 U.S.C. 1621p(a–d). This program is described in the Catalog of Federal Domestic Assistance under 93.970.

Background

The IHS, an agency within the Department of Health and Human Services (HHS), is responsible for providing Federal health services to American Indians and Alaska Natives (AI/AN). The mission of the IHS is to raise the physical, mental, social, and spiritual health of AI/AN. The IHCIA authorizes the IHS to administer programs that are designed to attract and recruit qualified individuals into health professions needed at IHS facilities. The programs administered are designed to encourage AI/AN to enter health professions and to ensure the availability of health professionals to serve AI/AN populations. Section 217 of the IHCIA requires IHS to administer the American Indians into Psychology Scholarship Program. Within the Section 217 program, IHS provides grants to colleges, universities, and other entities to develop and maintain psychology education programs and recruit individuals to become Clinical Psychologists who will provide services to AI/AN people. Psychology program scholarship grants may be used by the educational institution to provide scholarships to students enrolled in clinical psychology education programs. According to the terms and conditions of the psychology program scholarship grant award, scholarship awards are for a 1-year period; additional scholarship support may be awarded to each eligible student for up to four years (maximum).

Purpose

The purpose of this IHS cooperative agreement is to augment the number of Clinical Psychologists who deliver health care services to AI/AN communities. The primary objectives of this cooperative agreement grant award are to: (1) Recruit and train individuals to be Clinical Psychologists; and (2) Provide scholarships to individuals enrolled in schools of clinical psychology to pay tuition, books, fees, and stipends for living expenses.

II. Award Information

Type of Award

Cooperative Agreement.

Estimated Funds Available

The total amount of funding identified for the current fiscal year 2014 is approximately $715,078. Individual award amounts are anticipated to be between $200,000 and $238,359. Awards issued under this announcement are subject to the availability of funds. In the absence of funding, the IHS is under no obligation to make awards that are selected for funding under this announcement.

Anticipated Number of Awards

Approximately three awards will be issued under this program announcement.

Project Period

The project period will be for five years and will run consecutively from September 1, 2014 to August 31, 2019.

In the HHS, a cooperative agreement is administered under the same policies as a grant. The funding agency (IHS) is required to have substantial programmatic involvement in the project during the entire award segment. Below is a detailed description of the level of involvement required for both IHS and the grantee. IHS will be responsible for activities listed under section A and the grantee will be responsible for activities listed under section B as stated:

Substantial Involvement Description for Cooperative Agreement

A. IHS Programmatic Involvement

(1) The IHS assigned program official will work closely with the project's Principal Investigator/Project Director to ensure timely receipt of the required semi-annual progress reports from each American Indians into Psychology grantee and review them for program compliance.

(2) The IHS assigned program official will provide programmatic technical assistance to the grantee as requested.

(3) The IHS assigned program official will coordinate and conduct site visits and semi-annual conference calls with grantees and students.

(4) The IHS assigned program official from the OPHS will work in partnership with the Division of Grants Management (DGM) to ensure all goals and objectives of the proposed project are met.

(5) The IHS assigned program official will provide an American Indians into Psychology scholarship handbook for student program review.

(6) The IHS assigned program official will initiate default proceedings within 90 days after receiving notification from the grantee that a student has been dismissed from the program, withdrawn from school, failed to graduate with a Ph.D. in Clinical Psychology, or failed to get licensed and begin obligated service time within 90 days.

B. Grantee Cooperative Agreement Award Activities

(1) The American Indians into Psychology grantee must designate a Principal Investigator/Project Director. The Project Director is the individual designated by the grant applicant to manage the project or activity being supported by the grant. He/she is responsible for the scientific or technical direction of the project, the day-to-day management of the program, and is accountable to the grantee for the

proper conduct of all grant related activities.

(2) The Project director must have a current curriculum vitae on file in the official grant file within DGM. In the case of a project director resigning, the grantee is required to notify DGM in writing immediately upon discovery. The grantee will notify the DGM of any new potential replacement project director for program approval within 30 days.

(3) The American Indians into Psychology grantee will award psychology scholarships to continuing and new students. The project director will meet with each student to review the IHS scholarship contract and scholarship recipient handbook.

(4) The American Indians into Psychology grantee will maintain academic and obligated service records using a secure web based system for scholarship recipients. Those records shall include: Student contract information/application; copy of award letter; signed copy of IHS scholarship contract; notification of academic problem or change; change of academic status; change in graduation date; leave of absence; name change; change of address; notice of impending graduation; placement update; and preferred assignment.

(5) The American Indians into Psychology grantee will submit all required documents to the IHS assigned program official upon graduation: Official transcript; approved suspension; copy of license and certifications; letter of hire for Tribal/urban employees; copy of SF–50 for Federal employees; and all status reports throughout the scholarship recipient's service obligation.

(6) The American Indians into Psychology grantee will submit student contracts, student information and initial student progress report 45 days after the start of the semester.

(7) The American Indians into Psychology grantee project director will monitor fulfillment of all contractual obligations incurred by psychology program scholarship recipients by requesting a student status report six months and one year after hire date.

(8) The American Indians into Psychology grantee project director is encouraged to have quarterly meeting with university/college grants and contract officer and college of business officers.

(9) The American Indians into Psychology grantee project director is expected to collaborate with other American Indians into Psychology project directors and staff under this grant program and to share best practices, successes and challenges of the program.

(10) The American Indians into Psychology grantee will complete an end of year report and ensure a budget report is submitted to IHS assigned program official and grants specialist 90 days after the budget period ends.

(11) The American Indians into Psychology grantee must provide a program that:

a. Provides outreach and recruitment for health professions to Indian communities including elementary, secondary, and accredited and accessible community colleges that will be served by the program;

b. incorporates a program advisory board comprised of representatives from the tribes and communities that will be served by the program;

c. provides summer enrichment programs to expose Indian students to the various fields of psychology through research, clinical, and experimental activities;

d. provides stipends to undergraduate and graduate students to pursue a career in psychology;

e. develops affiliation agreements with tribal colleges and universities, the Service, university affiliated programs, and other appropriate accredited and accessible entities to enhance the education of Indian students;

f. to the maximum extent feasible, uses existing university tutoring, counseling, and student support services; and

g. to the maximum extent feasible, employs qualified Indians in the program.

III. Eligibility Information

1. Eligible Applicants

Public and nonprofit private colleges and universities that offer a Ph.D. in clinical programs accredited by the American Psychological Association will be eligible to apply for a grant under this announcement. However, only one grant will be awarded and funded to a college or university per funding cycle. Note: Please refer to Section IV.2 (Application and Submission Information/Subsection 2, Content and Form of Application Submission) for additional proof of applicant status documents required such as proof of non-profit status, etc.

2. Cost Sharing or Matching

The IHS does not require matching funds or cost sharing for grants or cooperative agreements.

3. Other Requirements

A. All schools and training programs must have current, unrestricted accreditation by American Psychological Association (APA). All institutions must be fully accredited without restrictions.

B. All universities and colleges currently participating and submitting competing continuation proposals must include new objectives for this project period.

If application budgets exceed the highest dollar amount outlined under the ''Estimated Funds Available'' section within this funding announcement, the application will be considered ineligible and will not be reviewed for further consideration. If deemed ineligible, IHS will not return the application. The applicant will be notified by email by the Division of Grants Management (DGM) of this decision.

Proof of Non-Profit Status

Organizations claiming non-profit status must submit proof. A copy of the 501(c)(3) Certificate must be received with the application submission by the Application Deadline Date listed under the Key Dates section on page one of this announcement.

An applicant submitting any of the above additional documentation after the initial application submission due date is required to ensure the information was received by the IHS by obtaining documentation confirming delivery (i.e. FedEx tracking, postal return receipt, etc.).

IV. Application and Submission Information

1. Obtaining Application Materials

The application package and detailed instructions for this announcement can be found at *http://www.Grants.gov* or *https://www.ihs.gov/dgm/index.cfm?module=dsp_dgm_funding*

Questions regarding the electronic application process may be directed to Mr. Paul Gettys at (301) 443–2114.

2. Content and Form Application Submission

The applicant must include the project narrative as an attachment to the application package. Mandatory documents for all applicants include:

- Table of contents.
- Abstract (one page) summarizing the project.
- Application forms:
  - SF–424, Application for Federal Assistance.
  - SF–424A, Budget Information—Non-Construction Programs.
  - SF–424B, Assurances—Non-Construction Programs.

- Budget Justification and Narrative (must be single spaced and not exceed five pages).
- Project Narrative (must be single spaced and not exceed ten pages).
  - Background information on the organization.
  - Proposed scope of work, objectives, and activities that provide a description of what will be accomplished, including a one-page Timeframe Chart.
- 501(c)(3) Certificate (if applicable).
- Biographical sketches for all Key Personnel.
- Contractor/Consultant resumes or qualifications and scope of work.
- Disclosure of Lobbying Activities (SF–LLL).
- Certification Regarding Lobbying (GG-Lobbying Form).
- Copy of current Negotiated Indirect Cost rate (IDC) agreement (required) in order to receive IDC.
- Organizational Chart (optional).
- Documentation of current Office of Management and Budget (OMB) A–133 required Financial Audit (if applicable).

Acceptable forms of documentation include:

- Email confirmation from Federal Audit Clearinghouse (FAC) that audits were submitted; or
- Face sheets from audit reports. These can be found on the FAC Web site: *http://harvester.census.gov/sac/dissem/accessoptions.html?submit=Go+To+Database.*

Public Policy Requirements

All Federal-wide public policies apply to IHS grants with exception of the Discrimination policy.

Requirements for Project and Budget Narratives

A. Project Narrative: This narrative should be a separate Word document that is no longer than ten pages and must: Be single-spaced, be type written, have consecutively numbered pages, use black type not smaller than 12 characters per one inch, and be printed on one side only of standard size 8-½″ x 11″ paper.

Be sure to succinctly answer all questions listed under the evaluation criteria (refer to Section V.1, Evaluation criteria in this announcement) and place all responses and required information in the correct section (noted below), or they will not be considered or scored. These narratives will assist the Objective Review Committee (ORC) in becoming more familiar with the grantee's activities and accomplishments prior to this grant award. If the narrative exceeds the page limit, only the first ten pages will be reviewed. The 10-page limit for the narrative does not include the work plan, standard forms, Tribal resolutions, table of contents, budget, budget justifications, narratives, and/or other appendix items.

Part A: Program Information (3 page limitation)

Section 1: Needs

The American Indians Into Psychology Program

1. Describe how the proposed American Indians into Psychology program will maintain academic and obligated service records using a secure Web based system for scholarship recipients: Student contract information/application, copy of award letter, signed copy of IHS Scholarship contract, notification of academic problem or change, change of academic status, change in graduation date, leave of absence, name change, change of address, notice of impending graduation, placement update, and preferred assignment.
2. Describe how the proposed American Indians into Psychology program coordinator will monitor fulfillment of all contractual obligations incurred by psychology program scholarship recipients.
3. Describe how the proposed American Indians into Psychology program will complete the following activities: Submitting semi-annual status reports, annual reports and budget reports by designated deadline to assure program compliance.
4. Describe how the proposed American Indians into Psychology program will notify IHS assigned program official of new and continuing students' scholarship awards and submission of IHS contracts within 45 days of student scholarship awards.

Part B: Program Planning and Evaluation (8 page limitation)

Section 1: Program Plans

Describe fully and clearly how the applicant will complete the following and include proposed timelines for completing these activities:

1. Attract and recruit for the clinical psychology programs.
2. Provide mechanisms and resources to increase psychology student enrollment, retention, and graduation.
3. Process for advertising, selecting and notifying Section 217 scholarship students.
4. Provide activities that increase the skills and provide continuing education at the graduate level for clinical psychologists who deliver health services to the AI/AN population.
5. Provide support to the American Indians into Psychology program utilizing career counseling; academic advice; plans to correct academic deficiencies; and other activities to assist student retention.

Section 2: Program Evaluation

1. Describe fully and clearly the program plans for evaluating success in carrying out the project and on an annual basis conduct a quantitative and qualitative evaluation of the year's activity, identifying what areas of the project need to be improved and how the applicant will make those improvements.
2. Applicants must identify how they will meet on an annual basis with the other project directors and staff under this grant program to share best practices, successes and challenges and to receive Federal grant training.

Part C: Program Report (Current Grantee's Only) (5 page limitation)

Section 1: Describe major accomplishments over the last 24 months.

Please identify and describe significant program achievements associated with the program objectives. Provide a comparison of the actual program accomplishments to the goals established for the project period, or, if applicable, provide justification for the lack of progress.

Section 2: Describe major activities over the last 5 years.

Please identify and summarize major project activities during the project period to improve the management of the grant program.

B. Budget Narrative: This narrative must describe the budget requested and match the scope of work described in the project narrative. The budget narrative should not exceed five pages.

1. Submission Dates and Times

Applications must be submitted electronically through Grants.gov by 12:00 a.m., midnight Eastern Daylight Time (EDT) on the Application Deadline Date listed in the Key Dates section on page one of this announcement. Any application received after the application deadline will not be accepted for processing, nor will it be given further consideration for funding. The applicant will be notified by the DGM via email of this decision.

If technical challenges arise and assistance is required with the electronic application process, contact Grants.gov Customer Support via email to *support@grants.gov* or at (800) 518–4726. Customer Support is available to address questions 24 hours a day, 7 days a week (except on Federal holidays). If problems persist, contact Mr. Paul Gettys, DGM (*Paul.Gettys@ihs.gov*) at

(301) 443–2114. Please be sure to contact Mr. Gettys at least ten days prior to the application deadline. Please do not contact the DGM until you have received a Grants.gov tracking number. In the event you are not able to obtain a tracking number, call the DGM as soon as possible.

If the applicant needs to submit a paper application instead of submitting electronically via Grants.gov, prior approval must be requested and obtained (see Section IV.6 below for additional information). The waiver must be documented in writing (emails are acceptable), *before* submitting a paper application. A copy of the written approval must be submitted along with the hardcopy that is mailed to the DGM. Once the waiver request has been approved, the applicant will receive a confirmation of approval and the mailing address to submit the application. Paper applications that are submitted without a waiver from the Acting Director of DGM will not be reviewed or considered further for funding. The applicant will be notified via email of this decision by the Grants Management Officer of DGM. Paper applications must be received by the DGM no later than 5:00 p.m., EDT, on the Application Deadline Date listed in the Key Dates section on page one of this announcement. Late applications will not be accepted for processing or considered for funding.

2. Intergovernmental Review

Executive Order 12372 requiring intergovernmental review is not applicable to this program.

3. Funding Restrictions

- Pre-award costs are not allowable.
- The available funds are inclusive of direct and appropriate indirect costs.
- Only one grant/cooperative agreement will be awarded per applicant.
- IHS will not acknowledge receipt of applications.

4. Electronic Submission Requirements

All applications must be submitted electronically. Please use the *http://www.Grants.gov* Web site to submit an application electronically and select the ''Find Grant Opportunities'' link on the homepage. Download a copy of the application package, complete it offline, and then upload and submit the completed application via the *http://www.Grants.gov* Web site. Electronic copies of the application may not be submitted as attachments to email messages addressed to IHS employees or offices.

If the applicant receives a waiver to submit paper application documents, the applicant must follow the rules and timelines that are noted below. The applicant must seek assistance at least ten days prior to the Application Deadline Date listed in the Key Dates section on page one of this announcement.

Applicants that do not adhere to the timelines for System for Award Management (SAM) and/or *http://www.Grants.gov* registration or that fail to request timely assistance with technical issues will not be considered for a waiver to submit a paper application.

Please be aware of the following:

- Please search for the application package in *http://www.Grants.gov* by entering the CFDA number or the Funding Opportunity Number. Both numbers are located in the header of this announcement.
- If you experience technical challenges while submitting your application electronically, please contact Grants.gov Support directly at: *support@grants.gov* or (800) 518–4726. Customer Support is available to address questions 24 hours a day, 7 days a week (except on Federal holidays).
- Upon contacting Grants.gov, obtain a tracking number as proof of contact. The tracking number is helpful if there are technical issues that cannot be resolved and a waiver from the agency must be obtained.
- If it is determined that a waiver is needed, the applicant must submit a request in writing (emails are acceptable) to *GrantsPolicy@ihs.gov* with a copy to *Tammy.Bagley@ihs.gov.* Please include a clear justification for the need to deviate from the standard electronic submission process.
- If the waiver is approved, the application should be sent directly to the DGM by the Application Deadline Date listed in the Key Dates section on page one of this announcement.
- Applicants are strongly encouraged not to wait until the deadline date to begin the application process through Grants.gov as the registration process for SAM and Grants.gov could take up to fifteen working days.
- Please use the optional attachment feature in Grants.gov to attach additional documentation that may be requested by the DGM.
- All applicants must comply with any page limitation requirements described in this Funding Announcement.
- After electronically submitting the application, the applicant will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. The DGM will download the application from Grants.gov and provide necessary copies to the appropriate agency officials. Neither the DGM nor the OPHS will notify the applicant that the application has been received.
- Email applications will not be accepted under this announcement.

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

All IHS applicants and grantee organizations are required to obtain a DUNS number and maintain an active registration in the SAM database. The DUNS number is a unique 9-digit identification number provided by D&B which uniquely identifies each entity. The DUNS number is site specific; therefore, each distinct performance site may be assigned a DUNS number. Obtaining a DUNS number is easy, and there is no charge. To obtain a DUNS number, please access it through *http://fedgov.dnb.com/webform,* or to expedite the process, call (866) 705–5711.

All HHS recipients are required by the Federal Funding Accountability and Transparency Act of 2006, as amended (''Transparency Act''), to report information on subawards. Accordingly, all IHS grantees must notify potential first-tier subrecipients that no entity may receive a first-tier subaward unless the entity has provided its DUNS number to the prime grantee organization. This requirement ensures the use of a universal identifier to enhance the quality of information available to the public pursuant to the Transparency Act.

System for Award Management (SAM)

Organizations that were not registered with Central Contractor Registration and have not registered with SAM will need to obtain a DUNS number first and then access the SAM online registration through the SAM home page at *https://www.sam.gov* (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2–5 weeks to become active). Completing and submitting the registration takes approximately one hour to complete and SAM registration will take 3–5 business days to process. Registration with the SAM is free of charge. Applicants may register online at *https://www.sam.gov.*

Additional information on implementing the Transparency Act, including the specific requirements for DUNS and SAM, can be found on the IHS Grants Management, Grants Policy Web site: *https://www.ihs.gov/dgm/*

*index.cfm?module=dsp_dgm_* policy_ topics.

V. Application Review Information

The instructions for preparing the application narrative also constitute the evaluation criteria for reviewing and scoring the application. Weights assigned to each section are noted in parentheses. The 10-page narrative should include only the first year of activities; information for multi-year projects should be included as an appendix. See ''Multi-year Project Requirements'' at the end of this section for more information. The narrative section should be written in a manner that is clear to outside reviewers unfamiliar with prior related activities of the applicant. It should be well organized, succinct, and contain all information necessary for reviewers to understand the project fully. Points will be assigned to each evaluation criteria adding up to a total of 100 points. A minimum score of 70 points is required for funding. Points are assigned as follows:

1. Criteria

A. In accordance with the IHCIA, funding preference will be given to applicants who have: (10 points)

1. Programs that provide clinical psychology education which have an emphasis on leadership related competencies and health care innovation.
2. Programs that provide clinical psychology education which have an emphasis on transcultural psychology and cultural competency.
3. Programs whose curriculum has a rural health care focus.
4. Programs that integrate an Evidence Based Practice (EBP) curriculum.
5. Programs which have student clinical rotations established or plan to establish clinical rotations with Indian health programs. The organization must submit letter of intent from the Indian health program.
6. Programs which have a faculty exchange program between a Tribal college or university and a university school of clinical psychology, so as to enhance cultural relevance, competency and faculty strength.

B. Introduction and Need for Assistance (15 points)

1. Applicants must justify the need for their project and provide a plan for the methodology they will use for recruiting clinical psychology students nation-wide, provide a program that encourages AI/AN clinical psychologists at the graduate and undergraduate level; and provide a program that increases the skills of and provides continuing education to clinical psychologists at the graduate and undergraduate level.
2. Applicants should identify their experience with other similar projects, including the results of those projects and provide evidence of their past or potential cooperation and experience with AI/AN communities and Tribes.
3. Applicants should demonstrate substantial benefit to Indian health programs.

C. Project Objective(s), Work Plan and Approach (30 points)

1. Applicants must clearly describe how they will recruit and train individuals to be clinical psychologists and to provide scholarships to students enrolled in the college of clinical psychology to pay tuition, books, fees, and stipends for living expenses.
2. Applicants must clearly describe how the program will provide support services to psychology students to facilitate their success in the clinical psychology program as well as track their progress.
3. Applicants must clearly describe how the program will assist the clinical psychologist with job placement and track their payback status to ensure service obligation is fulfilled.

D. Applicants should have a mechanism in place to provide their students with clinical rotation in AI/AN health programs.

E. Program Evaluation (20 points)

1. Present a plan for evaluating success in carrying out the project on a day-to-day project operation and conduct a quantitative and qualitative evaluation of the year's activities.
2. Identify how the program will adequately document project objectives; and identify what areas of the project need improvements.
3. Demonstrate the detailed steps and timeline to effectively achieve proposed methodology and evaluation plan.
4. Identify how the program director will meet with other project directors and staff on an annual basis to share best practices, successes and challenges.

F. Organizational Capabilities, Key Personnel and Qualifications (5 points)

1. Provide an organizational chart and describe the administrative, managerial and organization arrangements and the facilities and resources to be utilized to conduct the proposed project.
2. List the key personnel who will work with the program. In the appendix, include position descriptions and resumes of program director and key staff with duties and experience. Describe who will be writing progress report.
3. Describe any prior experience in administering similar project.

G. Categorical Budget and Budget Justification (20 points)

1. Clearly define the budget. Provide a justification and detailed breakdown of the funding by category for the first year of the project. Information on the project director and project staff should include salaries and percentage of time assigned to the grant. List equipment purchases necessary to conduct the project.
2. The applicant may include as a direct cost tuition and student support for students who have been selected to receive a scholarship through the American Indians into Psychology grant. Scholarship support consists of full time tuition/fees/books/other expenses to include uniforms and monthly stipends for living expenses for 12 months. The current stipend is to be $1500 per month.

Multi-Year Project Requirements

Projects requiring second, third, fourth, and/or fifth year must include a brief project narrative and budget (one additional page per year) addressing the developmental plans for each additional year of the project in an appendix

Appendix Items

- Work plan, logic model and/or time line for proposed objectives.
- Position descriptions for key staff.
- Resumes of key staff that reflect current duties.
- Consultant or contractor proposed scope of work and letter of commitment (if applicable).
- Current Indirect Cost Agreement.
- Organizational chart(s) highlighting proposed project staff and their supervisors as well as other key contacts within the organization and key community contacts.
- Additional documents to support narrative (i.e. data tables, key news articles, etc.).

1. Review and Selection

Each application will be prescreened by the DGM staff for eligibility and completeness as outlined in the funding announcement. Incomplete applications and applications that are non-responsive to the eligibility criteria will not be referred to the Objective Review Committee (ORC). Applicants will be notified by DGM, via email, to outline minor missing components (i.e., signature on the SF–424, audit documentation, key contact form) needed for an otherwise complete application. All missing documents must be sent to DGM on or before the due date listed in the email of notification of missing documents required.

To obtain a minimum score for funding by the ORC, applicants must

address all program requirements and provide all required documentation. If an applicant receives less than a minimum score, it will be considered to be ''Disapproved'' and will be informed via email by the IHS program office of their application's deficiencies. A summary statement outlining the strengths and weaknesses of the application will be provided to each disapproved applicant. The summary statement will be sent to the Authorized Organizational Representative that is identified on the face page (SF–424) of the application within 30 days of the completion of the Objective Review.

VI. Award Administration Information

1. Award Notices

The Notice of Award (NoA) is a legally binding document signed by the Grants Management Officer and serves as the official notification of the grant award. The NoA will be initiated by the DGM in our grant system, GrantSolutions (*https://www.grantsolutions.gov*). Each entity that is approved for funding under this announcement will need to request or have a user account in GrantSolutions in order to retrieve their NoA. The NoA is the authorizing document for which funds are dispersed to the approved entities and reflects the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, and the budget/project period.

Disapproved Applicants

Applicants who received a score less than the recommended funding level for approval, 70, and were deemed to be disapproved by the ORC, will receive an Executive Summary Statement from the IHS program office within 30 days of the conclusion of the ORC outlining the weaknesses and strengths of their application submitted. The IHS program office will also provide additional contact information as needed to address questions and concerns as well as provide technical assistance if desired.

Approved But Unfunded Applicants

Approved but unfunded applicants that met the minimum scoring range and were deemed by the ORC to be ''Approved,'' but were not funded due to lack of funding, will have their applications held by DGM for a period of one year. If additional funding becomes available during the course of FY 2013, the approved application may be re-considered by the awarding program office for possible funding. The applicant will also receive an Executive Summary Statement from the IHS program office within 30 days of the conclusion of the ORC.

Note: Any correspondence other than the official NoA signed by an IHS Grants Management Official announcing to the Project Director that an award has been made to their organization is not an authorization to implement their program on behalf of IHS.

2. Administrative Requirements

Cooperative agreements are administered in accordance with the following regulations, policies, and OMB cost principles:

A. The criteria as outlined in this Program Announcement.

B. Administrative Regulations for Grants:

- 45 CFR part 92, Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Tribal Governments.
- 45 CFR part 74, Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, and other Non-profit Organizations.

C. Grants Policy:

- HHS Grants Policy Statement, Revised 01/07.

D. Cost Principles:

- 2 CFR part 225—Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A–87).
- 2 CFR part 230—Cost Principles for Non-Profit Organizations (OMB Circular A–122).

E. Audit Requirements:

- OMB Circular A–133, Audits of States, Local Governments, and Non-profit Organizations.

3. Indirect Costs

This section applies to all grant recipients that request reimbursement of indirect costs (IDC) in their grant application. In accordance with HHS Grants Policy Statement, Part II–27, IHS requires applicants to obtain a current IDC rate agreement prior to award. The rate agreement must be prepared in accordance with the applicable cost principles and guidance as provided by the cognizant agency or office. A current rate covers the applicable grant activities under the current award's budget period. If the current rate is not on file with the DGM at the time of award, the IDC portion of the budget will be restricted. The restrictions remain in place until the current rate is provided to the DGM. Generally, IDC rates for IHS grantees are negotiated with the Division of Cost Allocation (DCA) *https://rates.psc.gov/* and the Department of Interior (Interior Business Center) *http://www.doi.gov/ibc/services/Indirect_Cost_Services/index.cfm.* For questions regarding the indirect cost policy, please call (301) 443–5204 to request assistance.

4. Reporting Requirements

The grantee must submit required reports consistent with the applicable deadlines. Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in one or both of the following: (1) The imposition of special award provisions; and (2) the non-funding or non-award of other eligible projects or activities. This requirement applies whether the delinquency is attributable to the failure of the grantee organization or the individual responsible for preparation of the reports. Reports must be submitted electronically via GrantSolutions. Personnel responsible for submitting reports will be required to obtain a login and password for GrantSolutions. Please see the Agency Contacts list in section VII for the systems contact information.

The reporting requirements for this program are noted below.

A. Progress Reports

Program progress reports are required semi-annually, within 30 days after the budget period ends. These reports must include a brief comparison of actual accomplishments to the goals established for the period, or, if applicable, provide sound justification for the lack of progress, and other pertinent information as required. A final report must be submitted within 90 days of expiration of the budget/project period.

B. Financial Reports

Federal Financial Report FFR (SF–425), Cash Transaction Reports are due 30 days after the close of every calendar quarter to the Division of Payment Management, HHS at: *http://www.dpm.psc.gov.* It is recommended that the applicant also send a copy of the FFR (SF–425) report to the Grants Management Specialist. Failure to submit timely reports may cause a disruption in timely payments to the organization.

Grantees are responsible and accountable for accurate information being reported on all required reports: The Progress Reports and Federal Financial Report.

C. Federal Subaward Reporting System (FSRS)

This award may be subject to the Transparency Act subaward and executive compensation reporting requirements of 2 CFR part 170.

The Transparency Act requires the OMB to establish a single searchable database, accessible to the public, with information on financial assistance awards made by Federal agencies. The Transparency Act also includes a requirement for recipients of Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards.

IHS has implemented a Term of Award into all IHS Standard Terms and Conditions, NoAs and funding announcements regarding the FSRS reporting requirement. This IHS Term of Award is applicable to all IHS grant and cooperative agreements issued on or after October 1, 2010, with a $25,000 subaward obligation dollar threshold met for any specific reporting period. Additionally, all new (discretionary) IHS awards (where the project period is made up of more than one budget period) and where: (1) The project period start date was October 1, 2010 or after and (2) the primary awardee will have a $25,000 subaward obligation dollar threshold during any specific reporting period will be required to address the FSRS reporting. For the full IHS award term implementing this requirement and additional award applicability information, visit the Grants Management Grants Policy Web site at: *https://www.ihs.gov/dgm/index.cfm?module=dsp_dgm_policy_topics.* Telecommunication for the hearing impaired is available at: TTY (301) 443–6394.

VII. Agency Contacts

1. Questions on the programmatic issues may be directed to: Michael Berryhill, Office of Public Health Support, 801 Thompson Avenue, TMP Suite 450, Rockville, Maryland 20852, Telephone: (301) 443–2443, Fax: (301) 443–6048, Email: *Michael.Berryhill@ihs.gov.*

2. Questions on grants management and fiscal matters may be directed to: Andrew Diggs, Grants Management Specialist, 801 Thompson Avenue, TMP Suite 360, Rockville, Maryland 20850, Phone: (301) 443–2262, Email: *Andrew.diggs@ihs.gov.*

3. Questions on systems matters may be directed to: Paul Gettys, Grant Systems Coordinator, 801 Thompson Avenue, TMP Suite 360, Rockville, MD 20852, Phone: (301) 443–2114; or the DGM main line (301) 443–5204, Fax: (301) 443–9602, Email: *Paul.Gettys@ihs.gov.*

VIII. Other Information

The Public Health Service strongly encourages all cooperative agreement and contract recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Public Law 103–227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of the facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the HHS mission to protect and advance the physical and mental health of the American people.

Dated: May 30, 2014.

Yvette Roubideaux,

Acting Director, Indian Health Service.

[FR Doc. 2014–13960 Filed 6–13–14; 8:45 am]

BILLING CODE 4165–16–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive License for: Silica-Coated Fluorescent Nanodiamond Probes and Devices and Systems for Imaging Fluorescent Nanodiamonds

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: This is notice, in accordance with 35 U.S.C. 209 and 37 CFR part 404, that the National Institutes of Health (NIH), Department of Health and Human Services, is contemplating the grant of an exclusive worldwide license to practice the inventions embodied in: HHS Ref. No. E–175–2012/0 ''Method for Preparing Silica-Coated Nanodiamonds;'' US Provisional Patent Application 61/672,996 filed July 18, 2012; International Patent Application PCT/US2013/050779 filed July 17, 2013, and HHS Ref. No. E–261–2012 ''Background-Free Imaging By Selective Modulation of Nanodiamond Fluorescence Using A Magnetic Field;'' US Provisional Patent Application 61/711,702 filed October 9, 2012 and U.S. Non-Provisional Patent Application 14/049,096 filed October 8, 2013 to Bikanta Corporation, a Delaware Corporation, having a principal place of business at 6694 Cedar Boulevard, Newark CA 94560.

The United States of America is an assignee of the patent rights pertaining to these inventions.

The contemplated exclusive license may be in fields of use directed to:

(a) Devices and systems for imaging magnetically-modulated nanodiamond probes, and

(b) Sales of silica-coated nanodiamond probes for non-clinical uses for a term not to exceed five (5) years.

DATES: Only written comments and/or applications for a license that are received by the NIH Office of Technology Transfer on or before July 16, 2014 will be considered.

ADDRESSES: Requests for a copy of the patent application, inquiries, comments and other materials relating to the contemplated license should be directed to: Michael Shmilovich, Esq, CLP, Senior Licensing and Patent Manager, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804; Telephone: (301) 435–5019; Facsimile: (301) 402–0220; Email: *shmilovm@mail.nih.gov.* A signed confidential disclosure agreement may be required to receive copies of the patent application assuming it has not already been published under either the publication rules of either the U.S. Patent and Trademark Office or the World Intellectual Property Organization.

SUPPLEMENTARY INFORMATION:

E–175–2012/0

The invention pertains to a robust and easily implemented method of synthesizing silica-coated nanodiamonds for imaging and therapeutic applications. The method generally includes coating nanodiamonds with a silica precursor, e.g, tetraethylorthosilicate (TEOS), inside liposomes. The liposomes are then removed to yield a final product that is stable, monodisperse, and easy to functionalize.

E–261–2012/0

The technology pertains to a method of imaging a biological specimen (e.g., human tissue) using fluorescent nanodiamonds implanted into the subject of interest, applying a magnetic field to said subject and producing a resultant image by a net juxtaposition of a second acquired image. This process suppresses the background and permits selective imaging of the nanodiamonds in the presence of background fluorescence that exceeds the signal from the nanodiamonds. Another aspect of the invention provides an imaging

method in which the resulting image is acquired by applying time-varying magnetic fields using one or more secondary image averaged against the first. The technique relies on imposing a small (~100 Gauss) magnetic field on the sample of interest during optical imaging combined with post-processing of the acquired images to remove the background. This technology can readily be added onto any commercial optical imaging platform to achieve background-free images of the nanodiamonds in a biological specimen.

The prospective exclusive license will be royalty-bearing and comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR part 404. The prospective exclusive license may be granted unless, within thirty (30) days from the date of this published notice, NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR part 404.

Properly filed competing applications for a license filed in response to this notice will be treated as objections to the contemplated license. Comments and objections submitted in response to this notice will not be made available for public inspection, and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: June 11, 2014.

Richard U. Rodriguez,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2014–14037 Filed 6–13–14; 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: National Institute of Arthritis and Musculoskeletal and Skin Diseases Special Emphasis Panel; NIAMS Small Grant Program for New Investigators (R03).

Date: July 9–10, 2014.

Time: 9:30 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Democracy Boulevard, Suite 800, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Xincheng Zheng, MD, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of Arthritis, Musculoskeletal and Skin Diseases, NIH, 6701 Democracy Boulevard, Suite 800, Bethesda, MD 20892, 301–594–4953, *xincheng.zheng@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: June 10, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13947 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Notice of 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 Environmental Health Sciences Special Emphasis Panel; R13 Review of Conference Grants.

Date: July 10, 2014.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Environmental Health Sciences, Keystone Building, 530 Davis Drive, Conference Room 3118, Research Triangle Park, NC 27709 (Telephone Conference Call).

Contact Person: Leroy Worth, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, Nat. Institute of Environmental Health Sciences, P.O. Box 12233, MD EC–30/Room 3171, Research Triangle Park, NC 27709, (919) 541–0670, *worth@niehs.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: June 9, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13952 Filed 6–13–14; 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: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; ''NIAID Investigator Initiated Program Project Applications (P01)''.

Date: July 8, 2014.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Room 3117, 6700B Rockledge Drive, Bethesda, MD 20817 (Telephone Conference Call).

Contact Person: Richard W. Morris, Ph.D., Scientific Review Officer, Scientific Review Program, DEA/NIAID/NIH/DHHS, 6700–B Rockledge Drive, MSC–7616, Room 3251, Bethesda, MD 20892–7616, 301–451–2663, *rmorris@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 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13946 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; NIH Pathway To Independence Awards.

Date: July 9, 2014.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Megan Kinnane, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6148, MSC 9609, Rockville, MD 20852–9609, 301–402–6807, *libbeym@mail.nih.gov.*

Name of Committee: National Institute of Mental Health Special Emphasis Panel; NIMH HIV/AIDS Review.

Date: July 10, 2014.

Time: 12:30 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Karen Gavin-Evans, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Boulevard, Room 6153, MSC 9606, Bethesda, MD 20892, 301–451–2356, *gavinevanskm@mail.nih.gov.*

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Intervention Conflicts.

Date: July 11, 2014.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Aileen Schulte, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6140, MSC 9608, Bethesda, MD 20892–9608, 301–443–1225, *aschulte@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS).

Dated: June 10, 2014.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13956 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood 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 section 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 Heart, Lung, and Blood Institute Special Emphasis Panel; Awards for Summer Research Institutes to Promote Diversity in the Biomedical Workforce.

Date: July 24, 2014.

Time: 8:30 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Stephanie J Webb, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7196, Bethesda, MD 20892, 301–435–0291, *stephanie.webb@nih.gov.*

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Coordinating Center for Summer Research Institutes to Promote Diversity in the Biomedical Workforce.

Date: July 24, 2014.

Time: 4:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Stephanie J Webb, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7196, Bethesda, MD 20892, 301–435–0291, *stephanie.webb@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: June 10, 2014.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13943 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; RFA–DK–13–014 Human Islet Research Network Bioinformatics Center (HIRN–BC).

Date: July 1, 2014.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy

Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Ann A. Jerkins, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 759, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–2242, *jerkinsa@niddk.nih.gov*.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; R01 Ancillary Study Microbiome.

Date: July 21, 2014.

Time: 3:00 p.m. to 5:00 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: Robert Wellner, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 706, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–4721, *rw175w@nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; R01 Ancillary Studies Liver.

Date: July 25, 2014.

Time: 2:00 p.m. to 4:00 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: Robert Wellner, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 706, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–4721, *rw175w@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 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13951 Filed 6–13–14; 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. 2014–13939 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood 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 section 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 Heart, Lung, and Blood Institute Special Emphasis Panel; Onsite Tools and Technologies for Heart, Lung, and Blood Clinical Research Point-of-Care SBIR (R43/R44).

Date: July 8, 2014.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn Washington DC/Bethesda, 7301 Waverly St., Bethesda, MD 20852.

Contact Person: YingYing Li-Smerin, MD, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7184, Bethesda, MD 20892–7924, 301–435–0277, *lismerin@nhlbi.nih.gov*.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI CLTR SEP Review.

Date: July 9, 2014.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6705 Rockledge Drive, Bethesda, MD 20817 (Telephone Conference Call).

Contact Person: Chang Sook Kim, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7188, Bethesda, MD 20892–7924, 301–435–0287, *carolko@mail.nih.gov*.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Program Project for Genetics and Atherosclerosis.

Date: July 17, 2014.

Time: 8:00 a.m. to 1:00 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: Melissa E. Nagelin, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7202, Bethesda, MD 20892, 301–435–0297, *nagelinmh2@nhlbi.nih.gov*.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Program in Blood Pressure Mechanisms.

Date: July 17, 2014.

Time: 12:30 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Crystal City, 2399 Jefferson Davis Hwy, Arlington, VA 22202.

Contact Person: William J. Johnson, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute National Institutes of Health, 6701 Rockledge Drive, Room 7178, Bethesda, MD 20892, 301–435–0725, *johnsonwj@nhlbi.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: June 10, 2014.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13942 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Institute on Aging Special Emphasis Panel, July 01, 2014, 11:00 a.m. to July 01, 2014, 03:00 p.m., National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD, 20892 which was, published in the **Federal Register** on May 28, 2014, 79 30630.

The meeting notice is amended to change the date, time and title of the meeting from July 1, 2014, to July 15, 2014 from 11:00 a.m. to 3:00 p.m.; title changed from Reversibility to Gene X Environment Interaction. The meeting is closed to the public.

Dated: June 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13944 Filed 6–13–14; 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; Single Cell Analysis Program Review Panel.

Date: July 7, 2014.

Time: 8:00 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: Wallace Ip, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5128, MSC 7840, Bethesda, MD 20892, 301–435–1191, *ipws@mail.nih.gov*.

Name of Committee: AIDS and Related Research Integrated Review Group; Behavioral and Social Science Approaches to Preventing HIV/AIDS Study Section.

Date: July 7–8, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Marriott Wardman Park Washington DC Hotel, 2660 Woodley Road NW., Washington, DC 20008.

Contact Person: Jose H. Guerrier, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5222, MSC 7852, Bethesda, MD 20892, 301–435–1137, *guerriej@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: Hypertension and Microcirculation—HM.

Date: July 7, 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: Larry Pinkus, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4132, MSC 7802, Bethesda, MD 20892, (301) 435–1214, *pinkusl@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RM13–016: The NIH Building Infrastructure Leading to Diversity (BUILD) Initiative.

Date: July 10–11, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites DC Convention Center, 900 10th Street NW., Washington, DC 20001.

Contact Person: Delia Olufokunbi Sam, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3158, MSC 7770, Bethesda, MD 20892, 301–435–0684, *olufokunbisamd@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM–13–019: Broadening Experiences in Scientific Training (DP7/BEST) Panel 1.

Date: July 10, 2014.

Time: 8:00 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: Lawrence E. Boerboom, Ph.D., Chief, CVRS IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4130, MSC 7814, Bethesda, MD 20892, (301) 435–8367, *boerboom@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Oncological Sciences.

Date: July 10–11, 2014.

Time: 8:00 a.m. to 5:00 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: Inese Z. Beitins, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6152, MSC 7892, Bethesda, MD 20892, 301–435–1034, *beitinsi@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Biochemistry and Macromolecular Biophysics.

Date: July 10–11, 2014.

Time: 10:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Nuria E. Assa-Munt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4164, MSC 7806, Bethesda, MD 20892, (301) 451–1323, *assamunu@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Biological Chemistry, Biophysics and Drug Discovery.

Date: July 10, 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: Vonda K Smith, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6188, MSC 7892, Bethesda, MD 20892, 301–435–1789, *smithvo@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Shared Instrumentation Grant Program: Miscellaneous Instruments.

Date: July 10–11, 2014.

Time: 11:00 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: Sergei Ruvinov, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301–435–1180, *ruvinser@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; CounterACT Exploratory Grants.

Date: July 11, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Embassy Row Hotel—Dupont Circle, 2015 Massachusetts Avenue NW., Washington, DC 20036.

Contact Person: Geoffrey G Schofield, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4040–A, MSC 7850, Bethesda, MD 20892, 301–435–1235, *geoffreys@csr.nih.gov.*

Name of Committee: AIDS and Related Research Integrated Review Group; AIDS Immunology and Pathogenesis Study Section.

Date: July 11, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Villa Florence Hotel, 225 Powell Street, San Francisco, CA 94102.

Contact Person: Shiv A Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5220, MSC 7852, Bethesda, MD 20892, 301–443–5779, *prasads@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Genes, Genomes, Genetics.

Date: July 11, 2014.

Time: 3:00 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.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Retina Physiology.

Date: July 11, 2014.

Time: 12:00 p.m. to 3:30 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: Raya Mandler, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217, MSC 7840, Bethesda, MD 20892, 301–402–8228, *rayam@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 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13940 Filed 6–13–14; 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; Peer Review of COBRE (P20) Application.

Date: July 1, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel and Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Shinako Takada, 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, 301–594–2769, *shinako.takada@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 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13953 Filed 6–13–14; 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 Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Trauma and Burn Research Centers.

Date: July 9, 2014.

Time: 8:00 a.m. to 5:00 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: Lisa A. Newman, SCD, Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3As.18A, Bethesda, MD 20892, 301–594–2704, *newmanla2@nigms.nih.gov*.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; COBRE 1 2014.

Date: July 10, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel and Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Lee W. Slice, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3An.12, Bethesda, MD 20892, 301–594–2769, *slicelw@mail.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 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13954 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; 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 contract proposal and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposal, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel; Newborn Screening Pompe Pilot Study.

Date: June 30, 2014.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6100 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Sathasiva B. Kandasamy, Ph.D., Scientific Review Administrator, Scientific Review Branch, National Institute of Child Health and Human Development, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 435–6680, *skandasa@mail.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: National Institute of Child Health and Human Development Special Emphasis Panel; Newborn Screening Pompe Pilot Study.

Date: July 8, 2014.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6100 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Sathasiva B. Kandasamy, Ph.D., Scientific Review Administrator, Scientific Review Branch, National Institute of Child Health and Human Development, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 435–6680, *skandasa@mail.nih.gov*.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel; Upstate KIDS CVD Follow-up Support Contract.

Date: July 10, 2014.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6100 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Sathasiva B. Kandasamy, Ph.D., Scientific Review Administrator, Scientific Review Branch, National Institute of Child Health and Human Development, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 435–6680, *skandasa@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: June 10, 2014.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13949 Filed 6–13–14; 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; Review of TWD–7 (SW) Grant Applications.

Date: July 10, 2014.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Natcher Building, 45 Center Drive, Room 3An.18, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Lisa A. Dunbar, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3An.12, Bethesda, MD 20892, 301–594–2849, *dunbarl@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 11, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–14036 Filed 6–13–14; 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 Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Support of Competitive Research (SCORE).

Date: July 10, 2014.

Time: 8:00 a.m. to 5:00 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: Saraswathy Seetharam, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3An.12C, Bethesda, MD 20892, 301–594–2763, *seetharams@nigms.nih.gov.*

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Institutional Postdoctoral T32 Review.

Date: July 11, 2014.

Time: 8:00 a.m. to 5:00 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: Brian R. Pike, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3An.18, Bethesda, MD 20892, 301–594–3907, *pikebr@mail.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 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13955 Filed 6–13–14; 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; Molecular Neurodegeneration.

Date: July 9, 2014.

Time: 1:00 p.m. to 3:30 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: Christine A. Piggee, Ph.D., National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Non-HIV Anti-Infective Therapeutics.

Date: July 14–15, 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.

Contact Person: Kenneth M. Izumi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge, Rm 3204, MSC 7808, Bethesda, MD 20892, 301–496–6980, *izumikm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Genetics of Networks, Interactions, Regulation and Rhythms.

Date: July 14, 2014.

Time: 2:30 p.m. to 4:30 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: Ronald Adkins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2206, MSC 7890, Bethesda, MD 20892, 301–435–4511, *ronald.adkins@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Digestive Sciences.

Date: July 15, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Martha Garcia, Ph.D., Scientific Reviewer Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2186, MSC 7818, Bethesda, MD 20892, 301–435–1243, *garciamc@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM13–015: Diversity Coordination and Evaluation Center.

Date: July 15, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.

Contact Person: Anna L. Riley, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3114, MSC 7759, Bethesda, MD 20892, 301–435–2889, *rileyann@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Oral, Dental, and Craniofacial Sciences.

Date: July 15–16, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Yi-Hsin Liu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of

Health, 6701 Rockledge Drive, Room 4214, MSC 7814, Bethesda, MD 20892, 301–435–1781, *liuyh@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Genetics of Common and Rare Diseases.

Date: July 15, 2014.

Time: 9:00 a.m. to 11:00 a.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Richard A. Currie, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1108, MSC 7890, Bethesda, MD 20892, (301) 435–1219, *currieri@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Musculoskeletal, Oral and Skin Sciences AREA Review.

Date: July 15–16, 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; PAR13–358: Opportunities for Collaborative Research at the NIH Clinical Center (U01).

Date: July 15, 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: Seetha Bhagavan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5194, MSC 7846, Bethesda, MD 20892, (301) 237–9838, *bhagavas@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Project: Computation and Experiment to Determine Disordered Protein Ensembles.

Date: July 15–16, 2014.

Time: 11:00 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: William A. Greenberg, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4168, MSC 7806, Bethesda, MD 20892, (301) 435–1726, *greenbergwa@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Skeletal Muscle SBIR and STTR.

Date: July 15, 2014.

Time: 1:00 p.m. to 4:00 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: Richard Ingraham, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4116, MSC 7814, Bethesda, MD 20892, 301–496–8551, *ingrahamrh@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Vascular Biology and Hematology AREA.

Date: July 15, 2014.

Time: 2:00 p.m. to 4:15 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: Larry Pinkus, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4132, MSC 7802, Bethesda, MD 20892, (301) 435–1214, *pinkusl@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM–14–002: Development for New Affinity Reagents.

Date: July 15, 2014.

Time: 3:00 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: Kathryn Kalasinsky, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5158 MSC 7806, Bethesda, MD 20892, 301–402–1074, *kalasinskyks@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Research Resource: Glycotechnology.

Date: July 15–17, 2014.

Time: 6:00 p.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn, 197 East Broad Street, Athens, GA 30601.

Contact Person: Maria DeBernardi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6158, MSC 7892, Bethesda, MD 20892, 301–435–1355, *debernardima@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 11, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–14035 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Diabetes Complications.

Date: June 30, 2014.

Time: 10:00 a.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: Elena Sanovich, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 750, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, 301–594–8886, *sanoviche@mail.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: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Ancillary Studies in IBD.

Date: July 21, 2014.

Time: 3:15 p.m. to 5:20 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: Maria E. Davila-Bloom, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 758, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7637, *davila-bloomm@extra.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 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13950 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; 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 National Children's Study Advisory Committee.

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: National Children's Study Advisory Committee.

Date: July 11, 2014.

Time: 9:00 a.m. to 4:45 p.m.

Agenda: The objectives of the July 2014 NCSAC Meeting are to provide the Committee with an update on the current status of the Vanguard Study, and discuss the Institute of Medicine review of the National Children's Study. The 2013 Appropriations bill required that the NIH contract with the Institute of Medicine to review the proposed methodologies for the NCS Main Study.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Contact Person: Kate Winseck, Executive Secretary, National Children's Study, National Institute of Child Health and Human Development, NIH, 6100 Executive Blvd., Room 5C01, Bethesda, MD 20892, (301) 594–8625, *costelka@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Information is also available on the Institute's/Center's home page: *http://www.nationalchildrensstudy.gov/about/organization/advisorycommittee/Pages/default.aspx,* where an agenda and any additional information for the meeting will be posted when available.

Dated: June 10, 2014.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13948 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of Closed Meeting

Pursuant to section 10(a) 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 contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Special Emphasis Panel.

Date: July 1, 2014.

Time: 11:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: 5635 Fishers Lane, Room 2085, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Ranga Srinivas, Ph.D., Chief, Extramural Project Review Branch, EPRB, NIAAA, National Institutes of Health, 5635 Fishers Lane, Room 2085, Rockville, MD 20852, (301) 451–2067, *srinivar@mail.nih.gov.*

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Special Emphasis Panel.

Date: July 8–9, 2014.

Time: 11:00 a.m. to 6:30 p.m.

Agenda: Review of Research Centers on Alcohol and HIV/AIDS (P01, P60).

Place: 5635 Fishers Lane, Room T509, Rockville, MD 20852.

Contact Person: Richard A. Rippe, Ph.D., Scientific Review Officer, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, 5635 Fishers Lane, Room 2109, Rockville, MD 20852, 301–443–8599, *rippera@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.891, Alcohol Research Center Grants; 93.701, ARRA Related Biomedical Research and Research Support Awards, National Institutes of Health, HHS)

Dated: June 10, 2014.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13945 Filed 6–13–14; 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 14–022: Effects of Juvenile Protective Factors on Aging.

Date: July 8, 2014.

Time: 1:00 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: John Burch, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institute of Health, 6701 Rockledge Drive, Room 3213, MSC 7808, Bethesda, MD 20892, 301–408–9519, *burchjb@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–13–375: Nutrigenetics and Nutrigenomics Approaches for Nutrition Research.

Date: July 9, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn Bethesda, 7301 Waverly Street, Bethesda, MD 20814.

Contact Person: Robert Garofalo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institute of Health, 6701 Rockledge Drive, Room 6156, MSC 7892, Bethesda, MD 20892, 301–435–1043, *garofalors@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Infectious Diseases and Microbiology.

Date: July 10–11, 2014.
Time: 8:30 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Baltimore Marriott Waterfront, 700 Aliceanna Street, Baltimore, MD 21202.
Contact Person: Alexander D. Politis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3210, MSC 7808, Bethesda, MD 20892, (301) 435–1150, *politisa@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Hematology.
Date: July 10, 2014.
Time: 10:30 a.m. to 5:30 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817.
Contact Person: Bukhtiar H. Shah, DVM, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4120, MSC 7802, Bethesda, MD 20892, 301–806–7314, *shahb@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA RM–13–017: NIH National Research Mentoring Network (NRMH) (U54).
Date: July 14, 2014.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.
Contact Person: Maribeth Champoux, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3170, MSC 7848, Bethesda, MD 20892, 301–594–3163, *champoum@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Molecular and Cellular Substrates of Complex Brain Disorders.
Date: July 14, 2014.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hilton Washington Embassy Row, 2015 Massachusetts Avenue NW., Washington, DC 20036.
Contact Person: Deborah L. Lewis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4183, MSC 7850, Bethesda, MD 20892, 301–408–9129, *lewisdeb@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowship: Cell Biology, Developmental Biology and Bioengineering.
Date: July 14–15, 2014.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: DoubleTree by Hilton Bethesda, 8120 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Alexander Gubin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4196, MSC 7812, Bethesda, MD 20892, 301–435–2902, *gubina@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 10, 2014.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–13941 Filed 6–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration Center for Mental Health Services; 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 Mental Health Services (CMHS) National Advisory Council will meet August 6, 2014, 1:00 p.m. to 2:00 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 Committee's Web site, *http://nac.samhsa.gov/Registration/meetingsRegistration.aspx,* or contact the Council's Designated Federal Officer (DFO), Ms. Deborah DeMasse-Snell, (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/cmhs-national-advisory-council,* or by contacting the DFO.

Committee Name: SAMHSA's Center for Mental Health Services National Advisory Council.
Date/Time/Type: August 6, 2014, 1:00 p.m. to 2:00 p.m.
Place: SAMHSA Building, 1 Choke Cherry Road, Great Falls Room, Rockville, Maryland 20857.
Contact: Deborah DeMasse-Snell M.A. (Than), Designated Federal Official, SAMHSA CMHS National Advisory Council, 1 Choke Cherry Road, Room 6–1084, Rockville, Maryland 20857, Telephone: (240) 276–1861, Fax: (240) 276–1850, Email: *Deborah.DeMasse-Snell@samhsa.hhs.gov.*

Cathy J. Friedman,

Public Health Analyst, SAMHSA.

[FR Doc. 2014–13920 Filed 6–13–14; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration Center for Mental Health Services; 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 Mental Health Services (CMHS) National Advisory Council will meet June 23, 10:00 a.m. to 12:00 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 Committee's Web site, *http://nac.samhsa.gov/Registration/meetingsRegistration.aspx,* or contact the Council's Designated Federal Officer (DFO), Ms. Deborah DeMasse-Snell, (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/cmhs-national-advisory-council,* or by contacting the DFO.

Committee Name: SAMHSA's Center for Mental Health Services National Advisory Council.
Date/Time/Type: June 23, 2014, 10:00 a.m.–12:00 p.m.
Place: SAMHSA Building, 1 Choke Cherry Road, Great Falls Room, Rockville, Maryland 20857.
Contact: Deborah DeMasse-Snell M.A. (Than), Designated Federal Official, SAMHSA CMHS National Advisory Council, 1 Choke Cherry Road, Room 6–1084, Rockville, Maryland 20857, Telephone: (240) 276–1861, Fax: (240) 276–1850, Email: *Deborah.DeMasse-Snell@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. 2014–13918 Filed 6–13–14; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Mental Health Services; 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 Mental Health Services (CMHS) National Advisory Council will meet July 23, 2:00 p.m. to 3:00 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 Committee's Web site, *http://nac.samhsa.gov/Registration/meetingsRegistration.aspx,* or contact the Council's Designated Federal Officer (DFO), Ms. Deborah DeMasse-Snell (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/cmhs-national-advisory-council,* or by contacting the DFO.

Committee Name: SAMHSA's Center for Mental Health Services National Advisory Council.

Date/Time/Type: July 23, 2014, 2:00 p.m. to 3:00 p.m.

Place: SAMHSA Building, 1 Choke Cherry Road, Great Falls Room, Rockville, Maryland 20857.

Contact: Deborah DeMasse-Snell M.A. (Than), Designated Federal Official, SAMHSA CMHS National Advisory Council, 1 Choke Cherry Road, Room 6–1084, Rockville, Maryland 20857, Telephone: (240) 276–1861, Fax: (240) 276–1850, Email: *Deborah.DeMasse-Snell@samhsa.hhs.gov*.

Cathy J. Friedman,

Public Health Analyst, SAMHSA.

[FR Doc. 2014–13919 Filed 6–13–14; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Customs and Border Protection

Announcement of Trusted Trader Program Test

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This document announces that U.S. Customs and Border Protection (CBP), in collaboration with the U.S. Consumer Product Safety Commission (CPSC) and the U.S. Food and Drug Administration (FDA), will begin the testing of the Trusted Trader program—a new program that will streamline the process through which importers can establish to CBP that they strive to secure their supply chains and strengthen their internal controls for compliance with the existing laws and regulations administered or enforced by CBP. The goals of the Trusted Trader program will be to: Achieve integrated U.S. government collaborations that result in enhanced efficiencies leading to a reduction in government-wide resource expenditures; enhance information sharing between government agencies; lower the administrative cost of participants by streamlining the application and validation process; and increase the efficiencies in the existing trade programs. The Trusted Trader program will strengthen security, identify low-risk trade entities, and increase overall efficiency of trade, by segmenting risk and processing by account. This test of the Trusted Trader program aims to move toward a whole of government approach to supply chain security and trade compliance by strengthening government collaboration between CBP and FDA and between CBP and CPSC. CBP seeks to encourage entities through incentives not currently available to members participating in both Customs-Trade Partnership Against Terrorism (C–TPAT) and Importer Self-Assessment (ISA) to secure their supply chains and strengthen their internal controls for compliance with the existing laws and regulations administered or enforced by CBP.

DATES: Applications for participation in the test may be submitted beginning June 16, 2014. The selection of initial test participants will begin no later than July 16, 2014. Selected applicants will be notified individually of their participation date.

ADDRESSES: To submit comments concerning this test program: Send an email to *TrustedTrader@cbp.dhs.gov.* In the subject line of an email, please use, ''*Comment on Trusted Trader Program Test.*''

To apply to participate, send an email to *TrustedTrader@cbp.dhs.gov.* In the subject line of an email, please use, ''*Trusted Trader Program Test Application.*'' The email must include: The name and point of contact information of an individual (including the direct dial phone number and email address) who is employed by the business interested in participating in the test; and the business' importer of record (IOR) number(s).

FOR FURTHER INFORMATION CONTACT: Michael Maricich, Partnership Branch Chief of the Automotive and Aerospace CEE, Office of Field Operations, at (562) 366–5455; Valarie Neuhart, Cargo Conveyance Security, Office of Field Operations, at (202) 344–2511; or Florence Constant-Gibson, Commercial Operations, Office of International Trade, at (202) 863–6537.

SUPPLEMENTARY INFORMATION:

Background

Currently, companies may participate in the Customs—Trade Partnership Against Terrorism (C–TPAT) program, which focuses on companies securing their supply chains, and the Importer Self-Assessment (ISA) program, which provides incentives to companies that can demonstrate to CBP that they have strong internal controls to comply with the laws and regulations administered or enforced by CBP. To participate in ISA, companies must participate in C–TPAT. Members of ISA may also participate in the Importer Self-Assessment-Product Safety Pilot (ISA–PS), which focuses on product safety and compliance with CBP and CPSC laws and regulations.

This document announces CBP's plan to unify the C–TPAT and ISA programs under a new test program called the Trusted Trader program.

I. Customs-Trade Partnership Against Terrorism Program

The C–TPAT program is a voluntary government-business initiative to build cooperative relationships that strengthen and improve overall international supply chain and U.S. border security. CBP encourages participation by providing incentives to participants meeting or exceeding the program requirements. As a result, the program helps CBP achieve its twin goals of improving security while facilitating the flow of global trade. The *Security and Accountability for Every Port Act (SAFE Port Act) of 2006 (see* 6

U.S.C. 961 *et seq.*) codified C–TPAT and established procedures for the certification and validation of C–TPAT partners.

Businesses eligible to apply for C–TPAT membership include U.S. importers of record; U.S./Canada highway carriers; U.S./Mexico highway carriers; air, rail and sea carriers; licensed U.S. customs brokers; U.S. marine port authority/terminal operators; third party logistics providers; U.S. freight consolidators; ocean transportation intermediaries and non-vessel operating common carriers (NVOCCs); Mexican and Canadian manufacturers; and Mexican long-haul highway carriers. C–TPAT importers enjoy certain incentives based on their tier status within a three tier structure. Tier I incentives are afforded to those importer partners that have been certified; Tier II level to those that have been certified and validated; and Tier III incentives to those that have exceeded the program's requirements and exhibit best practices.

Upon satisfactory completion of the C–TPAT application and supply chain security profile, the applicant company is assigned a C–TPAT Supply Chain Security Specialist (SCSS) to review the submitted materials and to provide program guidance on an on-going basis.

The C–TPAT program will then have up to 90 days to certify the company into the program or to reject the application. If certified, the company will be validated within a year of certification.

C–TPAT seeks to safeguard the world's vibrant trade industry from terrorists, maintaining the economic health of the United States and its neighbors. The partnership develops and adopts measures that add security but do not have a chilling effect on trade.

C–TPAT affords its importer partners many incentives, including a reduced examination rate. While examination rates have increased significantly since 2001 on all cross border movements, C–TPAT import partners continue to be examined at a considerably lower rate than non-C–TPAT partners. Other incentives afforded to importer partners by the C–TPAT program include:

(a) Access to the Free and Secure Trade (FAST) Lanes—Expedited border crossing privileges are granted to those C–TPAT highway carrier partners who are certified/validated. FAST lanes are dedicated lanes to C–TPAT partners at many Canada/Mexico land border ports of entry. C–TPAT highway carrier partners view the FAST lanes as a substantial benefit as the use of these lanes saves them considerable time in crossing the border. Moreover, since FAST highway carriers are transporting cargo from C–TPAT importers, these shipments are considered low risk and are therefore subject to lower examination rates;

(b) Exemption From Stratified Exams for importer partners—C–TPAT Tier III importer partners and C–TPAT Tier II importer partners that also participate in the ISA program are exempt from stratified exams;

(c) Front of the Line—C–TPAT shipments subject to examination receive ''front of the line'' treatment. To the extent possible and practicable, C–TPAT shipments are moved ahead of any non-C–TPAT shipments. This can translate into substantial monetary savings, since C–TPAT shipments will not have to wait as long in line for an examination;

(d) Business Resumption—In the event of a significant disruption/delay in CBP cargo processing operations, actions are taken to maintain communication and coordination with C–TPAT partners and foreign government stakeholders for business resumption; and

(e) Penalty mitigation offered for the late submission of data required under the Importer Security Filing requirements.

II. Importer Self-Assessment Program

The ISA program is a joint government-business initiative designed to build cooperative relationships that strengthen trade compliance. ISA is based on the premise that companies with strong internal controls achieve the highest level of compliance with customs laws and regulations. On June 17, 2002, the former U.S. Customs Service (now U.S. Customs and Border Protection (CBP)) published in the **Federal Register** (67 FR 41298) a notice announcing the ISA program and describing the requirements for participation in and incentives under the program. The requirements for participation in the ISA program remain as described in the 2002 Notice, except that the program has since been expanded to accept Canadian as well as U.S. importers. *See* 77 FR 61012 (October 5, 2012). To apply for ISA, the applicant must provide the importer's name; unique importer number(s); a signed ISA Memorandum of Understanding (MOU); a completed ISA questionnaire along with support documentation; and a risk-based self-testing plan.

On October 5, 2012, CBP published in the **Federal Register** (77 FR 61012) a notice that expanded the ISA program by creating an expedited path to ISA membership for importers who successfully have undergone a CBP Focused Assessment (FA) audit and were deemed an acceptable risk to CBP. The FA to ISA transition opportunity allows these acceptable risk importers to transition into the ISA program without further CBP review within twelve (12) months from the date of the FA Report wherein Regulatory Audit, Office of International Trade, has determined the company represents an acceptable risk to CBP. FA is a comprehensive audit process through which Regulatory Audit determines whether a company's import activities represent an acceptable risk to CBP. An assessment is performed of the company's organizational structure and its system of internal control over import activities, to ensure compliance with applicable customs laws and regulations. Importers seeking to transition into ISA through this opportunity must also meet the following ISA eligibility requirements: They must be a U.S. or Canadian resident importer; they must be C–TPAT partners or apply for C–TPAT membership and become certified; they must develop a risk-based self-testing plan; and they must agree to meet all of the ISA program requirements.

The ISA–PS is a joint initiative among CBP, CPSC and importers who commit to maintain a high level of product safety compliance and strive to prevent the importation of unsafe products. It is an expansion of the ISA program and is jointly administered by CBP and CPSC. The ISA–PS pilot was announced on October 29, 2008, in the **Federal Register** (73 FR 64356). The notice established the parties' intent to enter into a collaboration recognizing import safety compliance. Eligible ISA–PS pilot participants must be active ISA members and comply with all ISA requirements and obligations.

A joint CBP and CPSC working group currently is evaluating the ISA–PS pilot as described in the October 29, 2008 **Federal Register** notice (73 FR 64356) and is expected to convey recommendations in 2014. If based on CPSC review of the recommendations of the CBP/CPSC working group a decision is made to change or terminate the ISA–PS pilot, a notice will be published in the **Federal Register**.

III. Trusted Trader Program Test

This document announces CBP's plan to unify the C–TPAT and ISA programs under a new test program called the Trusted Trader program. CBP's coordination with CPSC and FDA helps to achieve the goals of the Trusted Trader program which will be to: Achieve integrated U.S. government

collaborations that result in enhanced efficiencies leading to a reduction in government-wide resource expenditures; enhance information sharing between government agencies; lower the administrative cost of participants by streamlining the application and validation process; and increase the efficiencies in the existing trade programs. The Trusted Trader program will strengthen security, identify low-risk trade entities, and increase overall efficiency of trade, by segmenting risk and processing by account. Leveraging the Centers of Excellence and Expertise (Centers) to manage trusted trader accounts from an industry perspective will contribute to the overall effectiveness, bring a high level of industry product knowledge, and further refine account-based processing. It will address specific threats and enable risk based analysis. This test of the Trusted Trader program aims to move toward a whole of government approach to supply chain security and trade compliance by strengthening government collaboration between CBP and FDA and between CBP and CPSC. The Trusted Trader program, as envisioned, will align with Authorized Economic Operator programs which focus on a combined trade and security compliance model implemented by other countries around the world. CBP seeks to encourage companies, through additional incentives not currently available to C–TPAT and ISA members, to secure their supply chains and strengthen their internal controls for compliance with the existing laws and regulations administered or enforced by CBP. CBP notes that companies still have the option to apply for, or continue participating exclusively in, C–TPAT. In addition, importers may continue to apply for ISA and the ISA–PS pilot programs.

Importers who meet the eligibility criteria of the Trusted Trader program test and wish to participate must submit an email as described below in this document. The Trusted Trader program application, which only provisionally selected test applicants will be required to complete, contains two parts: One part contains questions concerning supply chain security (C–TPAT related questions) and the second part contains questions concerning the company's trade compliance process, procedures and internal controls (ISA related questions) and product safety compliance (ISA–PS related questions) when applicable. Provisionally selected test applicants who are already C–TPAT members will not be required to complete the first part of the application. However, provisionally selected test applicants who are not current C–TPAT members will be required to complete the entire application.

Companies whose Trusted Trader program application is reviewed and approved by CBP to become a partner in the Trusted Trader program test will begin to receive the incentives currently provided to C–TPAT (depending on the particular C–TPAT Tier into which they are accepted) and ISA members, as well as additional incentives.

If the applicant concurrently applies for the Product Safety portion of the Trusted Trader Program test, the additional application materials will be reviewed and approved jointly by CPSC and CBP and the successful applicant will be eligible to receive benefits from CPSC. Those benefits are listed in Section III. A. of this document.

A. Trusted Trader Program Test Incentives

The incentives for participating in the Trusted Trader program test are listed below:

- The incentives currently provided to C–TPAT importers, as discussed in Section I of this document.
- The incentives currently provided under the ISA program, as listed in a notice published in the **Federal Register** (77 FR 61012) on October 5, 2012.
- Program participants will benefit from a reduced FDA targeting/examination risk score. The incentive will be predicated on the test participants' importation of FDA regulated goods, and the participants' agreement to allow CBP to share C–TPAT certification status with FDA.
- As part of a CBP penalty mitigation decision, test participants may receive a penalty offset upon request. If approved, penalty offsets may result in receiving credit towards their penalty liability as a result of implementing enhanced security and trade compliance measures.
- Trusted Trader program test participants who also participate in the Reconciliation Prototype (78 FR 27984), will be allowed to flag and unflag entries for reconciliation retroactively after the entry summary is filed up to 60 days prior to the date for which liquidation of the underlying entry summary has been set. This would include retroactive flagging for the following four reconcilable issues, or ''flag types:'' (1) Value; (2) classification (only if under protest or subject to a court case); (3) 9802, Harmonized Tariff Schedule of the United States (HTSUS); and (4) the post importation claims made pursuant to free trade agreements. Currently, under the Reconciliation Prototype, test participants who file entries in the Automated Commercial System (ACS) or the Automated Commercial Environment (ACE) may ''flag'' the underlying entries at the time of filing via an Automated Broker Interface (ABI) indicator, which serves as the notice of intent to file a reconciliation. Reconciliation Prototype participants who file entries in ACS and find that a large majority of their entry summaries require flagging, may provide their notice of intent to file a reconciliation by filing a ''blanket application'' in lieu of entry-by-entry flags. The blanket application results in the automatic flagging of all entry summaries for a specified period. Under the current Reconciliation Prototype, the blanket application must be received by CBP not later than seven (7) working days prior to transmission of the first entry subject to the reconciliation. Importers participating in the Reconciliation Prototype and joining in this test of the Trusted Trader program, may file the notice of intent to file a reconciliation after filing the entry summary up to 60 days prior to the date for which liquidation of the underlying entry summary has been set. The ''blanket application'' option under this incentive is only available to importers participating in both tests and filing in ACS. CBP will publish a separate **Federal Register** notice to announce this modification to the Reconciliation Prototype for Trusted Trader program test participants.
- CBP will reduce the number of Foreign Trade Zone (FTZ) on-site inspections.
- Drawback claimants will be exempt from on-site visits from Drawback Specialists.
- Full desk reviews, conducted pursuant to 19 CFR 191.61, will be limited to no more than one (1) per year for drawback claimants.
- CBP will exempt test participants from random Non-Intrusive Inspections (NIIs). Trusted Trader program test participants will have the opportunity to ''opt-out'' of this incentive entirely or identify the ports wherein the test participant wants this incentive applied. CBP reserves the right to conduct NIIs as appropriate for operational reasons.
- Where a Chemical Abstracts Service (CAS) number is required pursuant to 19 CFR 141.89 for a chemical compound classified in Chapters 27, 28, and 29 of the HTSUS, CBP will allow a quarterly submission of the CAS number, the use, and the description for the chemical compound in advance of the calendar year quarter. The description on the

quarterly list must contain the CAS number, the use, and the description for the chemical compound. The applicable invoice will also need to contain a chemical compound description (in accordance with the requirements in 19 CFR 141.86). The chemical compound description found in the quarterly list and the description found on the invoice will need to be identical for each chemical compound so that CBP can link the CAS number to the entered product.

- CBP will process Post-Entry Amendments (PEA) on unliquidated entries within a ninety (90)-day timeframe.
- In consultation with CBP, in the post-release environment, test participants may have the ability to choose an exam location, other than the port of arrival, that contains accommodations CBP considers amenable for a thorough exam. Examinations identified prior to release which have extenuating circumstances would be considered by CBP for exam at an alternate exam location within the port of arrival limits. Other than the exemptions created by this incentive, no other aspects of 19 CFR Part 151 are waived.
- If a test participant who is an importer of record files an entry in ACE or ACS for merchandise arriving by vessel in multiple containers and a portion but not all of the merchandise covered by that entry is selected for examination, the test participant will receive a release message and will be allowed to take possession of all merchandise except the merchandise subject to further examination. ACE and ACS entries filed in ABI will receive an electronic notification of the release. The test participant will be required to file the entry summary and pay the estimated duties on all merchandise covered by the entry within the period prescribed by law. Any changes necessary to the entry summary filing because of the results of the examination must be corrected by a Post-Summary Correction (PSC) (if an ACE entry) or via a PEA if an ACS entry. This incentive will *not* be available on any entry where the decision about admissibility of a product resides with a government agency other than CBP. This incentive also will not be available for any shipments that arrive to the customs territory of the United States by conveyances other than vessel.

For a test participant who completes the Product Safety portion of the Trusted Trader application, if CPSC and CBP jointly approve, the following additional Product Safety incentives will be provided:

- CPSC will provide the participants with a product-specific CPSC point of contact who can assist in providing National Electronic Injury Surveillance System (NEISS) Product Codes for entry lines.
- CPSC will provide access to the participants with special training concerning product safety compliance, internal controls, and CPSC audit trails.
- CPSC will allow the participants the opportunity to apply for external participation coverage of multiple business units (multiple IOR numbers).
- CPSC will consider expansion of benefits to all products of approved participants if the entry line(s) contains all the applicable NEISS product code(s).
- CPSC will reduce product safety tests on goods imported by the participants.
- CPSC laboratories will grant priority ''front of the line testing'' to participants when product safety testing is conducted.
- CPSC may allow products to be destroyed by participants in lieu of requesting redelivery to CBP of the product.
- Additional benefits tailored to specific industry needs may later become available.

B. Test Participant Roles and Responsibilities

Trusted Trader program test participants will be required to:

- Agree to comply with applicable CBP laws and regulations, except for the regulatory requirements explicitly waived in this document;
- Agree to comply with applicable CPSC and FDA laws and regulations;
- Complete a Trade Compliance Questionnaire;
- Submit a copy of the company's customs policies and procedures;
- Make relevant importation records (i.e., those records and documents listed in the Appendix to 19 CFR Part 163, commonly known as the ''(a)(1)(A) list'') available to substantiate compliance with trade laws for CBP to review;
- Perform annual risk assessments to identify risks that could impact compliance with CBP laws and regulations;
- Develop and execute an annual self-testing plan based on risk and implement corrective action in response to errors and internal control weaknesses disclosed by self-testing:
  - Maintain results of testing for five (5) years and make test information available to CBP upon request;
- Develop, document, and implement a system of internal control designed to provide reasonable assurance of compliance with CBP laws and regulations:
  - Make appropriate adjustments to internal controls; and
  - Maintain an audit trail from financial records to CBP declarations, or an alternate system that ensures accurate values are reported to CBP;
- Make appropriate prior disclosures, PEAs, and/or PSCs;
- Notify the Trade Compliance Branch, Office of Field Operations, *TrustedTrader@cbp.dhs.gov* of major changes to the company's corporate structure through reorganization, merger, acquisition, etc. Such notification must be made prior to or upon the affected date of the change by way of formal correspondence in the C–TPAT portal system;
- Notify the CBP SCSS of any suspicious activities, anomalies, and/or security breaches that affect the test participant's supply chain;
- Notify its SCSS and National Account Manager (NAM) prior to or immediately of any major changes that may affect the partner's security to include change in ownership of the company or sourcing from a new country;
- Submit an Annual Notification Letter (ANL) and an Annual Security Profile Review to CBP. Once accepted and established in the Trusted Trader program test, the importer may submit an ANL and an Annual Security Profile Review to CBP simultaneously. If a trusted partner's C–TPAT certification date is different than the date the partner submits its ISA ANL (i.e. the importer joined the Trusted Trader program test as a C–TPAT member), the trusted partner may synchronize these dates if it chooses to do so by sending an email requesting such to *TPPB–ISA@dhs.gov.* The Annual Security Profile Review submission will remain unchanged, requiring the member to update the member's security profile. However, the ANL will be streamlined and will require a summary of the following:
  - Organizational changes (e.g., mergers, acquisitions, divestures) and/or additions/deletions of importer of record numbers from the Trusted Trader program test participants;
  - Personnel changes that could have an effect on the department responsible for import compliance;
  - Changes in import activity (e.g., changes in the types of commodities imported, countries of sourcing/manufacturing, special trade programs being claimed, and brokers utilized);
  - Changes to internal control policies and procedures;

○ Risk assessment and self-testing results to include action taken to correct deficiencies; and

○ A summary of any PEAs, PSCs, and prior disclosures made to CBP.

• Provide CBP with the name and contact information for the company's Compliance Officer;

• Commit to working with business partners and CBP to maintain the C–TPAT supply chain security criteria as outlined in the C–TPAT Importer Security Criteria found on the CBP Web site at: *http://www.cbp.gov/sites/default/files/documents/importer_security_profile_overview_3.pdf*;

• Provide complete and accurate company information in response to C–TPAT and ISA inquiries and respond to these inquiries in a timely manner;

• Comply with C–TPAT program requirements to ensure integrity at each stage of the test participant's supply chain;

• Cooperate with the C–TPAT validation and re-validation processes including assisting the CBP SCSS in planning for and conducting validations and re-validations to include site visits at domestic and foreign locations (if applicable);

• Maintain security integrity throughout the supply chain, conducting periodic self-assessments in line with the changing risks and complexity of international business and trade;

• Cooperate with CBP, domestic and foreign port authorities, foreign customs administrations and others in the trade community, in advancing the goals of C–TPAT and the Container Security Initiative (CSI);

• Create and provide CBP with a C–TPAT supply chain security profile, which identifies how the importer of record (IOR) will meet, maintain, and enhance internal policy to meet the C–TPAT importer security criteria; and

• Undergo a trade compliance review meeting, if deemed necessary by CBP, to ensure that the test participant is maintaining and updating trade compliance procedures and meeting the program requirements.

• If the applicant concurrently applies for the Product Safety portion of the Trusted Trader program test, Trusted Trader program test participants will also be required to:

○ Agree to comply with all laws and regulations administered by CPSC;

○ Complete a Product Safety questionnaire;

○ Maintain an internal control system that ensures the integrity of product safety;

○ Include the Product Safety point of contact information in the Annual Notification Letter (ANL) submitted to CBP;

• Participants importing FDA regulated goods agree to allow CBP to share participant C–TPAT certification status with FDA in order to receive FDA incentives.

C. Eligibility Requirements for Test Participants

To be eligible to apply for the Trusted Trader program test, the applicant must meet the following criteria:

• Be an active U.S. importer or Non-Resident Canadian Importer who meets the requirements set forth in 19 CFR Part 141, including in particular, sections 141.17 and 141.18 (19 CFR 141.17–141.18);

• Have written policies and procedures pertaining to its import process;

• Have a business office staffed in the United States or Canada;

• Have an active Importer of Record (IOR) number or a CBP-assigned number;

• Possess a valid continuous importation bond filed with CBP;

• Have at least two (2) years of importing history before the date that the application for the test program is submitted;

• Conduct an assessment of its supply chain based on C–TPAT's security criteria for importers including:

○ Business partner requirements;

○ Container security;

○ Physical security and access controls;

○ Personnel security;

○ Procedural security;

○ Security training and threat awareness; and

○ Information technology security;

• Implement and maintain security measures and supply chain security practices meeting security criteria established in the C–TPAT Importer Security Criteria document;

• Have a designated company officer who will be the primary cargo security officer responsible for C–TPAT;

• Create and provide CBP with a C–TPAT security profile, which identifies how the importer meets C–TPAT's Importer Security Criteria;

• Maintain books and records to establish compliance with the laws and regulations administered or enforced by CBP, including but not limited to, records sufficient to ascertain the correctness of any entry and to determine the duties, taxes and fees that may be due; and

• Applicants requesting consideration for the Product Safety potential incentives listed in Section III. A. of this document must concurrently complete the Product Safety portion of the Trusted Trader Program application.

At this time, the Trusted Trader program test is not open to current ISA partners.

D. Completion of the Trusted Trader Program Test

After the test period is over, if CBP decides to implement the Trusted Trader program, CBP will transition all existing ISA partners into the Trusted Trader program and will discontinue the ISA program. ISA partners will be given an opportunity to ''opt-out'' of being transitioned into the Trusted Trader program. CBP will announce any such changes in the **Federal Register**. If CBP decides to implement the Trusted Trader program after the test period, CPSC will consider continuation of the Product Safety portion of the Trusted Trader program and any changes, including termination, will be announced in the **Federal Register**.

E. Suspension of Certain CBP Regulations Under the Test

For purposes of this test, the following title 19 (19 CFR) regulations will be waived, to the extent described, for test participants:

• Section 141.89 (*Additional information for certain classes of merchandise*) will be waived only as to waive the requirement to submit the use and CAS number on each invoice for chemical compounds classified in Chapters 27, 28, and 29, HTSUS. Instead, CBP will allow a quarterly submission of the CAS number, the use, and the description for the chemical compound before the calendar year quarter. The description on the quarterly list must contain the CAS number, the use, and the description of the chemical compound. The applicable invoice also must contain a chemical compound description (in accordance with the requirements in 19 CFR 141.86). The chemical compound description found in the quarterly list and the description found on the invoice must be identical for each chemical compound so that CBP can link the CAS number to the entered product; and

• Section 151.6 (*Place of examination*) will be waived only insofar as allowing all non-security related examinations to occur at an exam location of the test participant's choosing. The chosen exam location must contain accommodations amenable to a thorough exam. The importer will still bear any expense involved in preparing the merchandise for CBP examination and in closing the packages. In addition, all of the

applicable sections of 19 CFR Part 151 will continue to apply.

IV. Timeline for the Test

This test is intended to last eighteen (18) months from June 16, 2014. Additionally, at the conclusion of the test, CBP will assess the effect that the Trusted Trader program has had on improving trade facilitation, lowering the cost of becoming a trusted partner, and ensuring importers' compliance with applicable laws and regulations. CBP plans to publish a notice when the test closes.

V. Application Process

Importers who meet the eligibility criteria of this test and wish to participate must submit an email to *TrustedTrader@cbp.dhs.gov.* In the subject line of the email, please use, ''*Trusted Trader Program Test Application.''* The email must include: The name and point of contact information of an individual (including the direct dial phone number and email address) who is employed by the business interested in participating in the test; and the business' importer of record (IOR) number(s).

Only businesses that meet the eligibility criteria provided in this document are invited to apply for participation.

VI. Selection Criteria for Voluntary Participants

CBP will limit the Trusted Trader program test to fewer than ten (10) participants. Test applicants must meet the eligibility criteria described in this document to participate in the test program.

Specifically, CBP is looking for test participants to include at least:

- One (1) or more importers currently participating in C–TPAT;
- One (1) or more importers not currently participating in any CBP partnership programs; and
- One (1) or two (2) participants who have imports monitored by CPSC and FDA.

VII. Processes for Selected Applicants

CBP will send an email notification to all importers who requested to participate in the test informing them whether they have been provisionally selected to participate in the Trusted Trader program test. Provisionally selected test applicants who are current C–TPAT members will be provided the trade compliance portion of the application via an electronic document containing the trade compliance questions. They will be asked to complete the form electronically and to upload the form via the C–TPAT Security Link Portal (hereafter referred to as the ''C–TPAT Portal''), or submit the form via email to *TrustedTrader@cbp.dhs.gov.*

Provisionally selected test applicants who are *not* current C–TPAT members will be provided a link to the C–TPAT Portal Web site to complete the security portion of the application and will be provided the trade compliance portion of the application via an electronic document containing the trade compliance questions. Provisionally selected test applicants will be asked to complete the security portion of the application electronically and upload the application via the C–TPAT Portal, or submit the application via email to: *TrustedTrader@cbp.dhs.gov.*

Once automation enhancements are made to the C–TPAT Portal, CBP will be able to accept simultaneously both the security and trade compliance portions of the application via the C–TPAT Portal.

CBP will begin to review the application within thirty (30) days of receipt. CBP will assign a NAM and an SCSS to the provisionally selected test applicant, if one is not already assigned, and CBP will verify the applicant's eligibility for participation in the program.

Provisionally selected test applicants, who have completed and submitted the required portions of the Trusted Trader program application, will be notified in writing whether they have been certified into or denied entry in the test program within ninety (90) days of submitting their application to CBP. The notification will indicate the date upon which the Trusted Trader program test partner will begin to receive the program incentives. Selected participants may have different starting dates.

During the validation process, a site visit will be conducted by CBP to the applicant's domestic headquarters and/or points of importation or deconsolidation of imports. The site visit will verify the company's security and trade compliance. This verification may last one (1) to two (2) business days. Foreign validations may also be conducted by multidisciplinary teams under certain circumstances.

Provisionally selected test applicants who are denied participation for the Trusted Trader program test will receive a written notification with a reason for the denial from CBP.

VIII. Legal Authority for General Testing

Section 101.9(a) of the CBP regulations (19 CFR 101.9(a)) allows CBP to conduct a test program or procedure to evaluate the effectiveness of operational procedures regarding the processing of passengers, vessels, or merchandise by imposing requirements different from those specified in the CBP regulations but only to the extent that such different requirements do not affect the collection of the revenue, public health, safety, or law enforcement. This test is established pursuant to 19 CFR 101.9(a) to test the effectiveness of new operational procedures.

IX. Misconduct Under the Test

A test participant may be subject to civil and criminal penalties, administrative sanctions, liquidated damages, and/or discontinuance from participation in this test for any of the following:

- Failure to follow the terms and conditions of this test;
- Failure to exercise reasonable care in the execution of participant security and trade compliance obligations;
- Failure to abide by applicable laws and regulations that have not been waived;
- Failure to deposit duties or fees in a timely manner; and
- Knowingly providing false or misleading information.

Suspension from or revocation of membership in C–TPAT will result in discontinuance from participation in the Trusted Trader program test.

If the Commissioner, or his designee, finds that there is a basis for discontinuance of test participation privileges, the test participant will be provided a written notification of the discontinuance. The test participant will be offered the opportunity to appeal the decision in writing within ninety (90) calendar days of the date of the written notice. The appeal must be submitted to Trusted Trader Program Appeals, U.S. Customs and Border Protection, 1300 Pennsylvania Ave. NW., Suite 2.3D, Washington, DC 20229. The Secretary of the U.S. Department of Homeland Security, or his designee, will issue a decision in writing on the proposed action within one-hundred eighty (180) calendar days after receiving a timely-filed appeal from the test participant. If no timely appeal is received, the proposed notice becomes the final decision of the Agency as of the date that the appeal period expires.

In the case of a test participant knowingly providing false or misleading information to CBP during the validation process, the Commissioner, or his designee, will immediately suspend or expel the participant for an

appropriate period of time. The test participant will be offered the opportunity to appeal the decision within thirty (30) calendar days of the date of the decision providing for immediate suspension or expulsion. The appeal must be submitted to Trusted Trader Program Appeals, U.S. Customs and Border Protection, 1300 Pennsylvania Ave. NW., Suite 2.3D, Washington, DC 20229. The immediate discontinuance will remain in effect during the appeal period.

The Secretary, or his designee, will issue a decision in writing on the discontinuance within one-hundred eighty (180) calendar days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the notice becomes the final decision of the Agency as of the date that the appeal period expires.

Dated: June 11, 2014.

R. Gil Kerlikowske,

Commissioner, U.S. Customs and Border Protection.

[FR Doc. 2014–13992 Filed 6–13–14; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5756–N–19]

60-Day Notice of Proposed Information Collection: Continuation of Interest Reduction Payments After Refinancing Section 236 Projects

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* August 15, 2014.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Sheba Scott, Housing Program Manager, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410; email *236preservation@hud.gov* or telephone 202–708–0001. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Scott.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Continuation of Interest Reduction Payments after Refinancing Section 236 Projects.

OMB Approval Number: 2502–0572.

Type of Request: Extension of currently approved collection.

Form Number:

- Form HUD–93173 Agreement for Interest Reduction Payments (§ 236(e)(2).
- Form HUD–93175 Agreement for Interest Reduction Payments (§ 236(b).
- Form HUD–93174 Use Agreement (§ 236(e)(2).
- Form HUD–93176 Use Agreement (§ 236(b).

Description of the need for the information and proposed use: The purpose of this information collection is to preserve low-income housing units. HUD uses the information to ensure that owners, mortgagees and or public entities enter into binding agreements for the continuation of Interest Reduction Payments (IRP) after refinancing eligible Section 236 projects.

Respondents (i.e. affected public): Profit motivated or non-profit owners of Section 236 projects.

Estimated Number of Respondents: 875.

Estimated Number of Responses: 875.

Frequency of Response: 1.

Average Hours per Response: 1 hour.

Total Estimated Burdens: 437.5.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 10, 2014.

Laura M. Marin,

Associate General Deputy Assistant Secretary for Housing-Associate Deputy Federal Housing Commissioner.

[FR Doc. 2014–14009 Filed 6–13–14; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5756–N–21]

60-Day Notice of Proposed Information Collection: Office of Housing Counseling Performance Review

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* August 15, 2014.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street

SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Cheryl Appline, Director, Office of Oversight and Accountability (OOA), Office of Housing Counseling, Department of Housing and Urban Development, Five Points Plaza Building, 40 Marietta Street, Atlanta, GA 30303; telephone 678–732–2696 (this is not a toll-free number) or email at *Cheryl.W.Appline@hud.gov.*

Copies of available documents submitted to OMB may be obtained from Ms. Appline.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Office of Housing Counseling Performance Review.

OMB Approval Number: 2502–0574.

Type of Request: Extension.

Form Number: HUD 9910.

Description of the need for the information and proposed use: HUD Office of Housing Counseling participating agencies are non-profit and government organizations that provide housing counseling services. The information collected allows HUD to monitor and provide oversight for agencies participating in the Housing Counseling Program. Specifically, the information collected is used to ensure that participating agencies comply with program policies and regulations and to determine if agencies remain eligible to provide counseling services under HUD's Housing Counseling Program. Housing counseling aids tenants, potential home buyers and homeowners in improving their housing conditions and in meeting the responsibilities of tenancy and homeownership.

Respondents (i.e. affected public): Not-for-profit institutions.

Estimated Number of Respondents: 455.

Estimated Number of Responses: 455.

Frequency of Response: 1.

Average Hours per Response: 9.5.

Total Estimated Burdens: 4323.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Date: June 10, 2014.

Laura M. Marin,

Associate General Deputy Assistant Secretary for Housing-Associate Deputy Federal Housing Commissioner.

[FR Doc. 2014–14008 Filed 6–13–14; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5759–N–09]

Notice of Proposed Information Collection for Public Comment; Public Housing Admissions/Occupancy Policy

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, PIH HUD

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comment Due Date:* August 15, 2014.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Arlette Mussington, Office of Policy, Programs and Legislative Initiatives, PIH, Department of Housing and Urban Development, 451 7th Street SW., (L'Enfant Plaza, Room 2206), Washington, DC 20410; telephone 202–402–4109, (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Mussington.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Admission to, and Occupancy of Public Housing.

OMB Approval Number: 2577–0220.

Type of Request: Extension.

Form Number: Not Applicable.

Description of the need for the information and proposed use: Statute requires HUD to ensure the low-income character of public housing projects and to assure that sound management practices will be followed in the operation of the project. Public Housing Agencies (PHAs) enter into an Annual Contribution Contract (ACC) with HUD to assist low-income tenants. HUD regulations, Part 960, provide policies and procedures for PHAs to administer the low-income housing program for admission and occupancy. Statutory and regulatory authority grants PHAs flexibility to structure admission and occupancy policies. PHAs must develop and keep on file the admissions and continued occupancy policies to meet local preferences. PHA compliance will support the statute; and, HUD can ensure that the low-income character of the project and sound management practices will be followed.

Number of respondents (PHAs)	Responses annually	**Hours per response	Total annual burden hours	Cost per hour	Total annual cost
3,278	3,278	60	196,680	$18.30	$3,599,244

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Date: June 9, 2014.

Merrie Nichols-Dixon,

Deputy Director, Office of Policy, Programs and Legislative Initiatives.

[FR Doc. 2014–14010 Filed 6–13–14; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

[FWS–R4–FHC–2014–N110; FVHC98130406900–XXX–FF04G01000]

Deepwater Horizon Oil Spill; Final Programmatic and Phase III Early Restoration Plan and Final Early Restoration Programmatic Environmental Impact Statement; Withdrawal

AGENCY: Department of the Interior.

ACTION: Notice of availability; withdrawal.

SUMMARY: The Department of the Interior (Interior) is withdrawing a notice that announced that Federal and State natural resource trustee agencies (Trustees) had prepared a Final Programmatic and Phase III Early Restoration Plan and Final Early Restoration Programmatic Environmental Impact Statement (Final Phase III ERP/PEIS).

FOR FURTHER INFORMATION CONTACT: Nanciann Regalado, *nanciann_regalado@fws.gov.*

SUPPLEMENTARY INFORMATION: On June 5, 2014, Interior published a **Federal Register** notice (79 FR 32570) to inform the public of the availability of the Trustees' Final Phase III ERP/PEIS. However, the Final Phase III ERP/PEIS is currently unavailable. When finalized, the Final Phase III ERP/PEIS will be made available to the public.

For background information, please see the June 5, 2014, notice.

Authorities

The authorities of this action are the Oil Pollution Act of 1990 (33 U.S.C. 2701 *et seq.*), the implementing Natural Resource Damage Assessment regulations found at 15 CFR 990, the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), and the Framework for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill.

Cynthia K. Dohner,

DOI Authorized Official.

[FR Doc. 2014–14088 Filed 6–13–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–R–2013–N273FXFR13350900000–134–FF09F14000]

Classroom Guidelines for Preventing the Introduction and Spread of Aquatic Invasive Species (AIS)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: The U.S. Fish and Wildlife Service (Service), announces the availability of the *Classroom Guidelines for Preventing the Introduction and Spread of Aquatic Invasive Species (AIS).* These voluntary guidelines are intended to be used by agencies and organizations to develop materials that inform educators and students about the risks of spreading aquatic invasive species, and to limit their spread via the disposal of unwanted live educational specimens (animals, plants, and microorganisms) into local waters, including release into drains or flushing down toilets.

DATES: To ensure consideration, please send your written comments by July 16, 2014.

ADDRESSES: The guidelines may be obtained online, by U.S. mail, or by email:

- *Online: http://anstaskforce.gov/documents.php;*
- *U.S. mail:* Laura Norcutt, U.S. Fish and Wildlife Service, Branch of Aquatic Invasive Species, 4401 N. Fairfax Drive, Room 740, Arlington, VA 22203; or
- *Email: Laura_Norcutt@fws.gov.*

Submitting Comments: Please submit your comments in writing by one of the following methods:

- *U.S. mail:* U.S. Fish and Wildlife Service, Branch of Aquatic Invasive Species, 4401 N. Fairfax Drive, Room 740, Arlington, VA 22203; or
- *Email: Laura_Norcutt@fws.gov.*

FOR FURTHER INFORMATION CONTACT: Laura Norcutt, 703–358–2398.

SUPPLEMENTARY INFORMATION:

Background

Through the Lacey Act (18 U.S.C. 42), the U.S. Fish and Wildlife Service (Service) regulates the importation and interstate transport of certain aquatic invasive species that have been determined to be injurious. The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) established the Aquatic Nuisance Species Task Force (ANSTF), an intergovernmental organization co-chaired by the Service and the National Oceanic and Atmospheric Administration and dedicated to preventing and controlling the spread of aquatic nuisance species.

Development of the Guidelines

In 2011 the ANSTF established a committee to develop guidelines that would help to prevent the spread of aquatic invasive species through the disposal of unwanted live educational specimens (animals, plants, and microorganisms) into local waters and municipal water systems. The goal of the committee was to develop clear, easy-to-use standardized national guidelines that are easily communicated to educators and students and can be incorporated into education and outreach media. An additional benefit to

educators and students who follow these guidelines is to avoid possible violation of Federal, Tribal, and State laws that prohibit the transport or release of aquatic invasive species. The committee's product, a document titled *Classroom Guidelines for Preventing the Introduction and Spread of Aquatic Invasive Species (AIS),* will provide concise useable guidelines for agencies, and organizations to develop materials that inform educators and students about the risks of spreading aquatic invasive species.

Preparing Final Documents

Because these documents are guidance only, there is no requirement to provide the public with an opportunity to submit comments. However, we are opening a comment period to receive information and comments that may be useful for future versions of the guidelines.

Request for Public Comments

The guidelines are available on the ANSTF Web site (see **ADDRESSES**) for public review and comment.

We invite review and comment on our guidelines from local, State, Tribal, and Federal agencies, and from the public. All comments received by the date specified in **DATES** will be considered in preparing final documents. Methods of submitting comments are in **ADDRESSES**.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. You can ask the Service in your comment to withhold your personal identifying information from public review; however, we cannot guarantee that we will be able to do so.

Responses to individual commenters will not be provided, but we will provide a summary of the comments we receive and a summary of how we addressed substantive comments in a document on the ANSTF Web site listed above in **ADDRESSES**. Individuals may request an appointment to inspect the comments during normal business hours at our office (see **ADDRESSES**).

Dated: May 23, 2014.

Stephen Guertin,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2014–14013 Filed 6–13–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R3–R–2013–N239;FXRS1265030000–145–FF03R06000]

DeSoto and Boyer Chute National Wildlife Refuges; Washington County, Nebraska, and Harrison and Pottawattamie Counties, Iowa; Final Comprehensive Conservation Plan and Finding of No Significant Impact for Environmental Assessment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the availability of a final comprehensive conservation plan (CCP) and finding of no significant impact (FONSI) for the environmental assessment (EA) for DeSoto and Boyer Chute National Wildlife Refuges. In this final CCP, we describe how we intend to manage the refuges for the next 15 years.

ADDRESSES: You will find the final CCP and the EA/FONSI on the planning Web site at *www.fws.gov/midwest/planning/desoto_boyerchute/.* A limited number of hard copies and compact discs are available. You may request one by any of the following methods:

- *Email: r3planning@fws.gov.* Include ''DeSoto and Boyer Chute Refuges—Final CCP'' in the subject line of the message.
- *U.S. Mail:* Conservation Planning, U.S. Fish and Wildlife Service, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437.

FOR FURTHER INFORMATION CONTACT: Thomas Larson, 612–713–5430.

SUPPLEMENTARY INFORMATION:

Introduction

With this notice, we continue the CCP process for DeSoto and Boyer Chute National Wildlife Refuges. We began the CCP process for Boyer Chute Refuge by publishing a notice of intent in the **Federal Register** (75 FR 7289) on February 18, 2010, and for DeSoto Refuge by publishing a notice of intent in the **Federal Register** (76 FR 76745) on December 8, 2011. For more about the initial process and the history of these refuges, see those notices.

We released the EA and draft CCP to the public, announcing and requesting comments in a notice of availability (78 FR 57876) on September 20, 2013. The 30-day comment period was to end October 21, 2013, but was extended for an additional 3 weeks, ending on November 8, 2013, due to the Federal government shutdown that occurred from October 1 to 16. A summary of public comments and the agency responses is included in the final CCP.

Background

The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd–668ee) (Administration Act), requires us to develop a CCP for each national wildlife refuge. The purpose in developing a CCP is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System (NWRS), consistent with sound principles of fish and wildlife management, conservation, legal mandates, and Service policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Administration Act.

Each unit of the NWRS was established for specific purposes. We use these purposes as the foundation for developing and prioritizing the management goals and objectives for each refuge within the NWRS mission, and to determine how the public can use each refuge. The planning process is a way for us and the public to evaluate management goals and objectives that will ensure the best possible approach to wildlife, plant, and habitat conservation, while providing for wildlife-dependent recreation opportunities that are compatible with each refuge's establishing purposes and the mission of the NWRS.

Additional Information

The final CCP may be found at *www.fws.gov/midwest/planning/desoto_boyerchute/.* The final CCP includes detailed information about the planning process, the refuges, issues, and management alternative selected. The Web site also includes an EA and FONSI, prepared in accordance with the National Environmental Policy Act (NEPA) (43 U.S.C. 4321 *et seq.*). The EA/FONSI includes discussion of four alternative refuge management options. The Service's selected alternative is reflected in the final CCP. The selected alternative takes an active approach to habitat and wildlife management and

monitoring, focusing on an expansion of seasonal wetland habitat to emulate preregulation flood cycles of the Missouri River. This alternative also provides a moderate increase in visitor services available to the public—with careful consideration of seasonal bird migrations. A detailed description of objectives and actions included in this selected alternative is found in chapter 4 of the final CCP.

Charles M. Wooley,

Acting Regional Director.

[FR Doc. 2014–13971 Filed 6–13–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–ES–2014–N114; FXES11120800000–145–FF08EVEN00]

Low-Effect Habitat Conservation Plan for the Morro Shoulderband Snail; Lewis-Barnes Parcel, Community of Los Osos, San Luis Obispo County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application for a 10-year incidental take permit under the Endangered Species Act of 1973, as amended. The application addresses the potential for ''take'' of the federally endangered Morro shoulderband snail that is likely to occur incidental to the construction and maintenance of a single-family residence and implementation of a conservation strategy. We invite comments from the public on the application package, which includes a low-effect habitat conservation plan for the Morro shoulderband snail.

DATES: To ensure consideration, please send your written comments by July 16, 2014.

ADDRESSES: You may download a copy of the habitat conservation plan and draft environmental action statement and low-effect screening form on the internet at *http://www.fws.gov/ventura/,* or you may request copies of the documents by U.S. mail or phone (see below). Please address written comments to Stephen P. Henry, Field Supervisor, Ventura Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, CA 93003. You may alternatively send comments by facsimile to (805) 644–3958.

FOR FURTHER INFORMATION CONTACT: Julie M. Vanderwier, Senior Fish and Wildlife Biologist, at the above address or by phone at (805) 644–1766.

SUPPLEMENTARY INFORMATION: We have received an application from Joaquin Lewis and Gwenda Barnes for a 10-year incidental take permit (ITP) under the Endangered Species Act (Act; 16 U.S.C. 1531 *et seq.*). The application addresses the potential for ''take'' of the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*) that is likely to occur incidental to the construction and maintenance of a single-family residence and implementation of a conservation strategy on an existing legal single-family—zoned parcel in the unincorporated community of Los Osos, San Luis Obispo County, California. The applicants have committed to implement a conservation program to minimize and mitigate project activities that are likely to result in take of the Morro shoulderband snail as described in their plan. We invite comments from the public on the application package, which includes the low-effect HCP for the Morro shoulderband snail. This proposed action has been determined to be eligible for a categorical exclusion under National Environmental Policy Act (NEPA).

Background

We listed the Morro shoulderband as endangered on December 15, 1994 (59 FR 64613). Section 9 of the Act and its implementing regulations (16 U.S.C. 1531 *et seq.*) prohibit the take of fish or wildlife species listed as endangered or threatened. ''Take'' is defined under the Act to include the following activities: ''To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct'' (16 U.S.C. 1532); however, under section 10(a)(1)(B) of the Act, we may issue permits to authorize incidental take of listed species. The Act defines ''incidental take'' as take that is not the purpose of carrying out of an otherwise lawful activity. The Code of Federal Regulations provides those regulations governing incidental take permits for threatened and endangered species at 50 CFR 17.32 and 17.22. Issuance of an incidental take permit must not jeopardize the existence of federally listed fish, wildlife, or plant species.

The Applicants' Proposed Project

Joaquin Lewis and Gwenda Barnes (hereafter, the applicants) are the owners of an existing residentially zoned 20,038-square-foot (0.46-acre) parcel legally described as County of San Luis Obispo Assessor Parcel Number 074–483–013. It is located at 216 Madera Street in the western portion of Los Osos, an unincorporated community of San Luis Obispo County, California. The applicants have submitted a low-effect habitat conservation plan in support of their application for an ITP to address take of Morro shoulderband snail likely to occur as the result of direct impacts to up to 20,038 square feet (sf) (0.46 acres) of predominantly nonnative habitat occupied by the species. This take would be associated with the continued construction and maintenance of a single-family residence, along with implementation of the conservation strategy. The applicants are requesting a permit for take of Morro shoulderband snail that would result from ''covered activities'' in the HCP that include the construction and maintenance of a single-family residence and associated infrastructure and landscaping.

The applicants propose to minimize and mitigate take of Morro shoulderband snail associated with the covered activities by fully implementing the HCP. The following measures would be implemented to minimize the effects of the taking: (1) Pre-construction and concurrent construction monitoring surveys for Morro shoulderband snail would be conducted, (2) all identified individuals of any life stage of Morro shoulderband snail would be captured and moved out of harm's way to a Service-approved receptor site by an individual in possession of a current valid recovery permit for the species, and (3) a contractor and employee environmental training program for Morro shoulderband snail would be developed and implemented. To mitigate for unavoidable take, the applicants would contribute $4,500 to an impact-directed environmental account held and administered by the National Fish and Wildlife Foundation. The use of these funds is to implement recovery tasks identified in the *Recovery Plan for the Morro Shoulderband Snail and Four Plants from Western San Luis Obispo County, California* (USFWS 1998). The applicants would fund up to $4,300, as needed, to ensure implementation of all of the minimization measures and reporting requirements identified in the HCP.

In the proposed HCP, the applicants consider two alternatives to the proposed action: ''No Action'' and ''Project Design.'' Under the ''No Action'' alternative, the Service would not issue an ITP, and the legal construction of a single-family residence would not occur. Absent the ITP, there would be no contribution of in-lieu fees

to effect recovery actions for the Morro shoulderband snail. Since the property is privately owned, there are ongoing economic considerations associated with continued ownership absent its intended use upon purchase, the primary of which is payment of associated taxes. The sale of this property for other than the currently zoned and identified purpose is not considered biologically meaningful or economically feasible. Because of economic considerations and because the proposed action results in a net benefit for the Morro shoulderband snail, the No Action Alternative has been rejected.

The ''Project Redesign'' alternative would involve design of a project that would further reduce or avoid altogether take of Morro shoulderband snail. Construction permit PMT2009–01239 was issued to the former property owners in 2010. At that original time, take of the Morro shoulderband snail was not considered likely to result from project implementation. In accordance with the conditions of the construction permit, the building foundation and septic system for the single-family residence were completed in 2011. Because of the presence of the existing infrastructure, it is economically unfeasible to change the scope of the Lewis-Barnes project. For this reason, the project redesign alternative is also rejected.

Our Preliminary Determination

We are requesting comments on our preliminary determination that the applicants' proposal will have a minor or negligible effect on the Morro shoulderband snail, and that the plan qualifies for a low-effect HCP as defined by our Habitat Conservation Planning Handbook (November 1996). Three criteria form the basis for our determination: (1) Implementation of the proposed project as described in the HCP would result in minor or negligible effects on federally listed, proposed, and/or candidate species and their habitats; (2) implementation of the HCP would result in minor negligible effects on other environmental values or resources; and (3) HCP impacts, considered together with those of other past, present, and reasonably foreseeable future projects, would not result in cumulatively significant effects. It is our preliminary determination that HCP approval and ITP issuance qualify for categorical exclusion under the NEPA (42 U.S.C. 4321 *et seq.*), as provided by the Department of the Interior Manual (516 DM 2 Appendix 2 and 516 DM 8); however, we may revise our determination based upon review of public comments received in response to this notice.

Next Steps

We will evaluate the permit application, including the HCP and comments we receive, to determine whether the application meets the requirements of section 10(a)(1)(B) of the Act. We will also evaluate whether issuance of the ITP would comply with section 7(a)(2) of the Act by conducting an intra-Service Section 7 consultation.

Public Review

We are requesting comments on our determination that the applicants' proposal will have a minor or negligible effect on the Morro shoulderband snail, and that the plan qualifies as a low-effect HCP. We will evaluate the permit application, including the HCP and comments we receive, to make a final determination regarding whether the application meets the requirements of section 10(a)(1)(B) of the Act. We will use the results of our intra-Service consultation, in combination with the above findings, in our final analysis to determine whether to issue the ITP. If the requirements are met, we will issue the permit to the applicants to authorize incidental take of the Morro shoulderband snail. We will make the final permit decision no sooner than 30 days after the date of this notice.

Public Comments

If you wish to comment on the permit applications, HCP, and associated documents, you may submit comments by any one of the methods provided in **ADDRESSES**.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public view, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under section 10(c) of the Act and the NEPA public involvement regulations (40 CFR 1500.1(b), 1500.2(d), and 1506.6).

Dated: June 10, 2014.

Stephen P. Henry,

Field Supervisor, Ventura Fish and Wildlife Office, Ventura, California.

[FR Doc. 2014–13969 Filed 6–13–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVW03000.L51050000.EA0000. LVRCF1402960 241A; MO #4500063844]

Notice of Temporary Closure and Temporary Restrictions of Specific Uses on Public Lands for the Burning Man Event, Pershing County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given that under the authority of the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Winnemucca District, Black Rock Field Office, will implement a temporary closure and temporary restrictions to protect public safety and resources on public lands within and adjacent to the Burning Man event on the Black Rock Desert playa.

DATES: The temporary closure and temporary restrictions will be in effect from August 4, 2014 to September 15, 2014.

FOR FURTHER INFORMATION CONTACT: Gene Seidlitz, BLM District Manager, Winnemucca District, 5100 E. Winnemucca Blvd., Winnemucca, NV 89445–2921, telephone: 775–623–1500, email: *gseidlitz@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 hours.

SUPPLEMENTARY INFORMATION: The temporary closure and temporary restrictions affect public lands within and adjacent to the Burning Man event permitted on the Black Rock Desert playa within the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area in Pershing County, Nevada. The legal description of the affected public lands in the temporary public closure area is:

Mount Diablo Meridian

T. 33 N., R. 24 E., unsurveyed,

Sec. 1, that portion lying northwesterly of East Playa Road;
Sec. 2, that portion lying northwesterly of East Playa Road;
Sec. 3;
Sec. 4, that portion lying southeasterly of Washoe County Road 34;
Sec. 5;
Sec. 8, NE¼;
Sec. 9, N½;
Sec. 10, N½;
Sec. 11, that portion of the N½ lying northwesterly of East Playa Road.
T. 33½ N., R. 24 E., unsurveyed,
Secs. 25, 26, and 27;
Sec. 28, that portion lying easterly of Washoe County Road 34;
Sec. 33, that portion lying easterly of Washoe County Road 34;
Secs. 34, 35, and 36.
T. 34 N., R. 24 E., partly unsurveyed,
Sec. 23, S½;
Sec. 24, S½;
Secs. 25 and 26;
Sec. 27, E½NE¼, E½SW¼, SE¼;
Sec. 33, NE¼NE¼, S½NE¼, that portion of the SW¼ lying northeasterly of Washoe County Road 34, SE¼;
Secs. 34, 35, and 36.
T. 33 N., R. 25 E.,
Sec. 4, that portion lying northwesterly of East Playa Road.
T. 34 N., R. 25 E., unsurveyed,
Sec. 16, S½;
Sec. 21;
Sec. 22, W½NW¼, SW¼;
Sec. 27, W½;
Sec. 28;
Sec. 33, that portion lying northwesterly of East Playa Road;
Sec. 34, that portion of the W½ lying northwesterly of East Playa Road.

The temporary closure area comprises 14,153 acres, more or less, in Pershing County, Nevada.

The public closure is necessary for the period of time from August 4, 2014, through September 15, 2014, because of the Burning Man event activities in the area, starting with fencing the site perimeter, final setup, the actual event (August 24 through September 1), initial phases of cleanup, and concluding with final site cleanup.

The public closure area comprises about 13 percent of the Black Rock Desert playa. Public access to other areas of the playa will remain open and the other 87 percent of the playa outside the temporary closure area will remain open to dispersed casual use.

The event area is contained within the temporary closure area. The event area is defined as the portion of the temporary closure area (1) entirely contained within the event perimeter fence, including 50 feet from the outside of the event perimeter fence; and (2) within 25 feet from the outside edge of the event access road; and includes the entirety of the aircraft parking area outside the event perimeter fence.

The temporary closure and temporary restrictions are necessary to provide a safe environment for the participants of the Burning Man event and to members of the public visiting the Black Rock Desert, and to protect public land resources by addressing law enforcement and public safety concerns associated with the event. The event is expected to attract approximately 68,000 paid participants to a remote rural area, more than 90 miles from urban infrastructure and support, including public safety, transportation, and communication services. During the event, Black Rock City, the temporary city associated with the event, becomes the tenth-largest population area in Nevada. This event is authorized on public land under Special Recreation Permit #NVW03500–14–01.

While a majority of Burning Man event participants do not violate event rules or BLM rules and regulations, a few participants at previous events have caused law enforcement and public safety incidents similar to those observed in urban areas of similar-size populations. Incidents in prior years include: Aircraft crashes; motor vehicle accidents with injuries both within and outside the event perimeter; fights; sexual assault; assault on law enforcement officers; reckless or threatening behavior; crimes against property; crowd control issues; possession and unlawful use of alcoholic beverages; endangerment of themselves or others; possession, use, and distribution of controlled substances; and increased use of public lands outside the event perimeter.

The Burning Man event takes place within Pershing County, a rural county with a small population and a small Sheriff's Department. The temporary closure and temporary restrictions are necessary to enable BLM law enforcement personnel to provide for public safety and to protect the environment on public lands, as well as to support State and local agencies with enforcement of existing laws.

Use of the Black Rock playa by up to 68,000 paid participants creates potential impacts to public resources associated with disposal of wastes and litter. Implementation of the temporary restrictions will increase interaction with and education of users by BLM law enforcement and educational staff which will indirectly increase appreciation and protection of the public resources.

A temporary closure and temporary restrictions order, under the authority of 43 CFR 8364.1, is appropriate for a single event. A temporary closure and temporary restrictions order is specifically tailored to the timeframe that is necessary to provide a safe environment for the public and for participants at the Burning Man event, and to protect public land resources while avoiding imposing restrictions that may not be necessary in the area during the remainder of the year.

The BLM will post information signs and maps about the temporary closure and temporary restrictions at main entry points around the playa, at the BLM Winnemucca District Office, at the Nevada State Office, and at the Black Rock Visitor Center and on the BLM's Web site: *www.blm.gov/nv/st/en/fo/wfo.html.*

Under the authority of Section 303(a) of FLPMA, 43 CFR 8360.0–7, and 43 CFR 8364.1, the BLM will enforce a temporary public closure and the following temporary restrictions will apply within and adjacent to the Burning Man event on the Black Rock Desert playa from August 4, 2014 through September 15, 2014:

I. Temporary Restrictions

A. Aircraft Landing

The public closure area is closed to aircraft landing, taking off, and taxiing. Aircraft is defined in Title 18, U.S.C., section 31(a)(1) and includes lighter-than-air craft and ultra-light craft. The following exceptions apply:

1. All aircraft operations, including ultra-light and helicopter landings and takeoffs will occur at the designated 88NV Black Rock City Airport landing strips and areas defined by airport management. All takeoffs and landings will occur only during the hours of operation of the airport as described in the Burning Man Operating Plan. All pilots that use the Black Rock City Airport must agree to and abide by the published airport rules and regulations.

2. Only helicopters providing emergency medical services may land at the designated Emergency Medical Services helicopter pad or at other locations when required for medical incidents. The BLM authorized officer or his delegated representative may approve other helicopter landings and takeoffs when deemed necessary for the benefit of the law enforcement operation.

3. Landings or takeoffs of lighter-than-air craft previously approved by the BLM authorized officer.

B. Alcohol

1. Possession of an open container of an alcoholic beverage by the driver or operator of any motorized vehicle, whether or not the vehicle is in motion, is prohibited.

2. Possession of alcohol by minors

(a) The following are prohibited:

(1) Consumption or possession of any alcoholic beverage by a person under 21 years of age on public lands.

(2) Selling, offering to sell, or otherwise furnishing or supplying any alcoholic beverage to a person under 21 years of age on public lands.

3. Operation of a motor vehicle while under the influence

(a) Title 43 CFR 8341.1(f)3 prohibits the operation of an off-road motor vehicle on public land while under the influence of alcohol, narcotics, or dangerous drugs.

(b) In addition to the prohibition found at 43 CFR8341.1(f)3, it is prohibited for any person to operate or be in actual physical control of a motor vehicle while:

(1) The operator is under the combined influence of alcohol, a drug, or drugs to a degree that renders the operator incapable of safe operation of that vehicle; or

(2) The alcohol concentration in the operator's blood or breath is 0.08 grams or more of alcohol per 100 milliliters of blood or 0.08 grams or more of alcohol per 210 liters of breath.

(3) It is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of a prohibited substance in his or her urine or blood that is equal to or greater than the following nanograms per milliliter (ng/ml):

(a) Amphetamine: urine, 500 ng/ml; blood, 100 ng/ml

(b) Cocaine: urine, 150 ng/ml; blood, 50 ng/ml

(c) Cocaine metabolite: urine,150 ng/ml; blood, 50 ng/ml

(d) Heroin: urine, 2,000 ng/ml; blood, 50 ng/ml

(e) Heroin metabolite:

(1) Morphine: urine, 2,000 ng/ml; blood, 50 ng/ml

(2) 6-monoacetyl morphine: urine, 10 ng/ml; blood,10 ng/ml

(f) Lysergic acid diethylamide: urine, 25 ng/ml; blood,10 ng/ml

(g) Marijuana: urine,10 ng/ml; blood, 2 ng/ml

(h) Marijuana metabolite: urine, 15 ng/ml; blood, 5 ng/ml

(i) Methamphetamine: urine, 500 ng/ml; blood,100 ng/ml

(j) Phencyclidine: urine, 25 ng/ml; blood,10 ng/ml

(c) Tests:

(1) At the request or direction of any law enforcement officer authorized by the Department of the Interior to enforce this closure and restriction order, who has probable cause to believe that an operator of a motor vehicle has violated a provision of paragraph (a) or (b) of this section, the operator shall submit to one or more tests of the blood, breath, saliva, or urine for the purpose of determining blood alcohol and drug content.

(2) Refusal by an operator to submit to a test is prohibited and proof of refusal may be admissible in any related judicial proceeding.

(3) Any test or tests for the presence of alcohol and drugs shall be determined by and administered at the direction of an authorized law enforcement officer.

(4) Any test shall be conducted by using accepted scientific methods and equipment of proven accuracy and reliability operated by personnel certified in its use.

(d) Presumptive levels

(1) The results of chemical or other quantitative tests are intended to supplement the elements of probable cause used as the basis for the arrest of an operator charged with a violation of paragraph (a) of this section. If the alcohol concentration in the operator's blood or breath at the time of testing is less than alcohol concentrations specified in paragraph (b)(2) of this section, this fact does not give rise to any presumption that the operator is or is not under the influence of alcohol.

(2) The provisions of paragraph (d)(1) of this section are not intended to limit the introduction of any other competent evidence bearing upon the question of whether the operator, at the time of the alleged violation, was under the influence of alcohol, a drug or multiple drugs, or any combination thereof.

4. Definitions:

(a) Open container: Any bottle, can, or other container which contains an alcoholic beverage, if that container does not have a closed top or lid for which the seal has not been broken. If the container has been opened one or more times, and the lid or top has been replaced, that container is an open container.

(b) Possession of an open container includes any open container that is physically possessed by the driver or operator, or is adjacent to and reachable by that driver or operator. This includes but is not limited to containers in a cup holder or rack adjacent to the driver or operator, containers on a vehicle floor next to the driver or operator, and containers on a seat or console area next to a driver or operator.

C. Drug Paraphernalia

1. The possession of drug paraphernalia is prohibited.

2. Definition: Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of any state or Federal law, or regulation issued pursuant to law.

D. Disorderly Conduct

1. Disorderly conduct is prohibited.

2. Definition: Disorderly conduct means that an individual, with the intent of recklessly causing public alarm, nuisance, jeopardy, or violence; or recklessly creating a risk thereof:

(a) Engages in fighting or violent behavior.

(b) Uses language, an utterance or gesture, or engages in a display or act that is physically threatening or menacing, or done in a manner that is likely to inflict injury or incite an immediate breach of the peace.

(c) Obstructs, resists, or attempts to elude a law enforcement officer, or fails to follow their orders or directions.

E. Eviction of Persons

1. The public closure area is closed to any person who:

(a) Has been evicted from the event by the permit holder, Black Rock City LLC, (BRC LLC) whether or not the eviction was requested by the BLM.

(b) Has been ordered by a law enforcement officer to leave the area of the permitted event.

2. Any person evicted from the event forfeits all privileges to be present within the perimeter fence or anywhere else within the public closure area even if they possess a ticket to attend the event.

F. Fires

The ignition of fires on the surface of the Black Rock playa without a burn blanket or burn pan is prohibited.

G. Fireworks

The use, sale or possession of personal fireworks is prohibited except for uses of fireworks approved by BRC LLC and used as part of a Burning Man sanctioned art burn event.

H. Motor Vehicles

1. Must comply with the following requirements:

(a) The operator of a motor vehicle must possess a valid driver's license.

(b) Motor vehicles and trailers must possess evidence of valid registration, except for mutant vehicles, vehicles

used by disabled drivers and displaying disabled driver license plates or placards, or other vehicles registered with the BRC LLC organizers and operated within the scope of that registration.

(c) Motor vehicles and trailers must possess evidence of valid insurance, except for mutant vehicles, vehicles used by disabled drivers and displaying disabled driver license plates or placards, or other vehicles registered with the BRC LLC organizers and operated within the scope of that registration.

(d) Motor vehicles and trailers must not block a street used for vehicular travel or a pedestrian pathway.

(e) Motor vehicles must not exceed the posted speed limit.

(f) No person shall occupy a trailer while the motor vehicle is in transit upon a roadway, except for mutant vehicles, vehicles used by disabled drivers and displaying disabled driver license plates or placards, or other vehicles registered with the BRC LLC organizers and operated within the scope of that registration.

(g) Motor vehicles, other than a motorcycle or golf cart, must be equipped with at least two working headlamps, at least two functioning tail lamps and at least two functioning brake lights, except for mutant vehicles, vehicles used by disabled drivers and displaying disabled driver license plates or placards, or other vehicles registered with the BRC LLC organizers and operated within the scope of that registration, so long as they are adequately lit according to Black Rock City, LLC Department of Mutant Vehicle requirements.

(h) Trailers pulled by motor vehicles must be equipped with at least two functioning tail lamps and at least two functioning brake lights.

(i) Motor vehicles and trailers must display an unobstructed rear license plate and must be equipped with a mounted lamp to illuminate the rear license plate, except for mutant vehicles, vehicles used by disabled drivers and displaying disabled driver license plates or placards, or other vehicles registered with the BRC LLC organizers and operated within the scope of that registration.

2. The public closure area is closed to motor vehicle use, except as provided below.

Motor vehicles may be operated within the public closure area under the circumstances listed below:

(a) Participant arrival and departure on designated routes;

(b) BLM, medical, law enforcement, and firefighting vehicles are authorized at all times;

(c) Vehicles operated by BRC LLC staff or contractors and service providers on behalf of BRC LLC. During the event, from 6:00 p.m. Sunday, August 24, 2014, through 6:00 p.m. Monday, September 1, 2014, these vehicles must display evidence of event registration at all times in such manner that it is visible to the rear of the vehicle while the vehicle is in motion;

(d) Mutant vehicles, art cars, vehicles used by disabled drivers and displaying disabled driver license plates or placards, or other vehicles registered with the BRC LLC organizers and operated within the scope of that registration. During the event, from 6:00 p.m. Sunday, August 24, 2014, through 6:00 p.m. Monday, September 1, 2014, such vehicles must display evidence of registration at all times in such manner that it is visible to the rear of the vehicle while the vehicle is in motion;

(e) Motorized skateboards, electric assist bicycles, or Go-Peds with or without handlebars;

(f) Participant drop off of approved burnables and wood to the Burn Garden/Wood Reclamation Stations (located on open playa at 3:00, 6:00, 9:00 Promenades and the Man base) from 9:00 a.m. Sunday, August 31, 2014 through the end of day Tuesday, September 2, 2014, post event; and

(g) Passage through, without stopping, the public closure area on the west or east playa roads.

3. Definitions:

(a) A motor vehicle is any device designed for and capable of travel over land and which is self-propelled by a motor, but does not include any vehicle operated on rails or any motorized wheelchair.

(b) Motorized wheelchair means a self-propelled wheeled device, designed solely for and used by a mobility-impaired person for locomotion.

(c) A trailer is any instrument designed to be hauled by a motor vehicle.

I. Public Camping

The public closure area is closed to public camping with the following exception: Burning Man event ticket holders who are camped in designated event areas provided by BRC LLC, and ticket holders who are camped in the authorized pilot camp. BRC LLC authorized staff, contractors, and BLM authorized event management related camps are exempt from this closure.

J. Public Use

The public closure area is closed to use by members of the public unless that person: Is traveling through, without stopping, the public closure area on the west or east playa roads; possesses a valid ticket to attend the event; is an employee or authorized volunteer with the BLM, a law enforcement officer, emergency medical service provider, fire protection provider, or another public agency employee working at the event and that individual is assigned to the event; is a person working at or attending the event on behalf of BRC LLC; or is authorized by BRC LLC to be onsite prior to the commencement of the event for the primary purpose of constructing, creating, designing or installing art, displays, buildings, facilities or other items and structures in connection with the event; or is a commercial operation to provide services to the event organizers and/or participants authorized by BRC LLC through a contract or agreement and authorized by BLM through a Special Recreation Permit.

K. Waste Water Discharge

The dumping or discharge to the ground of gray water is prohibited. Gray water is water that has been used for cooking, washing, dishwashing, or bathing and contains soap, detergent, food scraps, or food residue.

L. Weapons

1. The possession of any weapon is prohibited except weapons within motor vehicles passing, without stopping, through the public closure area on the west or east playa roads.

2. The discharge of any weapon is prohibited.

3. The prohibitions above shall not apply to county, state, tribal, and Federal law enforcement personnel who are working in their official capacity at the event. ''Art projects'' that include weapons and are sanctioned by BRC LLC will be permitted after obtaining authorization from the BLM authorized officer.

4. Definitions:

(a) Weapon means a firearm, compressed gas or spring powered pistol or rifle, bow and arrow, cross bow, blowgun, spear gun, hand-thrown spear, sling shot, irritant gas device, electric stunning or immobilization device, explosive device, any implement designed to expel a projectile, switch-blade knife, any blade which is greater than 10 inches in length from the tip of the blade to the edge of the hilt or finger guard nearest

the blade (e.g., swords, dirks, daggers, machetes), or any other weapon the possession of which is prohibited by state law. Exception: This rule does not apply in a kitchen or cooking environment or where an event worker is wearing or utilizing a construction knife for their duties at the event.

(b) Firearm means any pistol, revolver, rifle, shotgun, or other device which is designed to, or may be readily converted to expel a projectile by the ignition of a propellant.

(c) Discharge means the expelling of a projectile from a weapon.

Any person who violates the above rules and restrictions may be tried before a United States Magistrate and fined no more than $1,000, imprisoned for no more than 12 months, or both. Such violations may also be subject to the enhanced fines provided for at 18 U.S.C. 3571.

Authority: 43 CFR 8364.1

Gene Seidlitz,

District Manager, Winnemucca District.

[FR Doc. 2014–13997 Filed 6–13–14; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[MAA104000]

Request for Information and Comments on the Preparation of the 2017–2022 Outer Continental Shelf (OCS) Oil and Gas Leasing Program

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Request for Information and Comments.

SUMMARY: Section 18 of the OCS Lands Act (43 U.S.C. 1344) requires the Department of the Interior (DOI) to invite and solicit information from interested and affected parties during the preparation of a Five Year OCS Oil and Gas Leasing Program (Five Year Program). The current Five Year Program became effective on August 27, 2012, and will expire on August 26, 2017 (2012–2017 Program). BOEM intends to prepare a new Five Year Program to succeed the current one and cover the period from July 2017 to June 2022 (2017–2022 Program).

Section 18 of the OCS Lands Act requires the completion of a multi-step process of public consultation and analysis before the Secretary of the Interior (Secretary) may approve a new Five Year Program. The process required by section 18 of the OCS Lands Act includes the following steps: (1) Issuance of a Request for Information and Comments (RFI); (2) development of a Draft Proposed Program (DPP), a Proposed Program (PP), and a Proposed Final Program (PFP); and (3) Secretarial approval of a Final Program. During the development of the new Five Year Program, BOEM will prepare a Programmatic Environmental Impact Statement (PEIS), pursuant to the National Environmental Policy Act (NEPA), 43 U.S.C. 4321 et seq., in order to inform program decisions. The public will have opportunities to comment on the DPP, the Draft PEIS, and the PP.

DATES: BOEM must receive all comments and information by July 31, 2014.

FOR FURTHER INFORMATION CONTACT: Ms. Kelly Hammerle, Five Year Program Manager, at (703) 787–1613.

SUPPLEMENTARY INFORMATION: BOEM requests information and comments from States, local and tribal governments, Native American and Native Alaskan organizations, Federal agencies, environmental and fish and wildlife organizations, the oil and gas industry, non-energy industries, other interested organizations and entities, and the general public, for use in the preparation of the 2017–2022 Program. BOEM is seeking a wide array of information including, but not limited to, information associated with the economic, social, and environmental values of all OCS resources, as well as the potential impact of oil and gas exploration and development on other resource values of the OCS and the marine, coastal and human environments.

The Five Year Program sets forth the proposed schedule of lease sales for the subsequent five-year period, and enables the Federal Government, States, industry, and other interested parties to begin planning for the later steps in the leasing process. The Secretary decides whether to proceed with a specific lease sale on the schedule included in an approved Five Year Program only after meeting all the requirements of the OCS Lands Act, NEPA, and other applicable statutes.

The preparation and subsequent approval of a new Five Year Program is a key aspect for the implementation of President Barack Obama's all-of-the-above energy strategy. The strategy includes expanding the safe and responsible production of U.S. domestic oil and gas supplies, both offshore and onshore, and seeking out regulatory and oversight efficiencies, so as to create a more efficient and predictable oil and gas leasing environment for government, industry and other stakeholders.

The OCS is a significant contributor of oil and gas to the Nation's energy supply. As of May 2014, BOEM administered over 6,200 active oil and gas leases covering nearly 34 million OCS acres. Production from these leases generates billions of dollars in revenue for the Federal Treasury and State governments while supporting hundreds of thousands of jobs. In 2013, oil and gas leases on the OCS accounted for approximately 18 percent of domestic oil production and 5 percent of domestic natural gas production. The offshore areas of the United States also are estimated to contain significant quantities of resources in yet-to-be-discovered fields. BOEM estimates that the undiscovered, technically recoverable oil and gas resources in the United States' OCS consist of 89.93 billion barrels of oil and 404.52 trillion cubic feet of natural gas.

BOEM currently is implementing the 2012–2017 Program, which makes available for oil and gas leasing, subject to environmental safeguards, OCS areas with the greatest resource potential. Together, these areas contain more than 75 percent of the undiscovered, technically recoverable oil and gas resources estimated to exist in the United States OCS.

Gulf of Mexico (GOM)

BOEM has held five lease sales in the GOM since the approval of the 2012–2017 Program, including annual sales in the Central and Western GOM and a single sale in the portion of the Eastern GOM not subject to the Congressional moratorium and made available for leasing by Gulf of Mexico Energy Security Act (GOMESA). These sales have generated over $2.295 billion in high bids.

Lease Sale 229 in the Western GOM was held on November 28, 2012. In this sale, 13 companies submitted 131 bids totaling over $133 million in high bids. Lease Sale 227 in the Central GOM was held on March 20, 2013. The sale generated over $1.2 billion in high bids for 320 blocks by 52 companies. Lease Sale 233 in the Western GOM was held on August 28, 2013. The sale generated over $102 million in high bids for 53 blocks by 12 companies. Lease Sales 225 in the Eastern GOM and Sale 231 in the Central GOM were held on March 19, 2014. No bids were received for Sale 225. Lease Sale 231 garnered over $870 million in high bids on 326 lease blocks by 42 companies.

BOEM is also moving forward in the prelease sale process for the remaining sales scheduled in the current Program, which includes annual lease sales in the Central and Western GOM and an

additional lease sale in the Eastern GOM in 2016. For more information on lease sales, visit: *http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Lease-Sale-Schedule/2012-2017-Lease-Sale-Schedule.aspx.*

The Gulf of Mexico continues to experience successes in oil and gas exploration and development. Since June 2012, operators have announced nine new discoveries, all located in the Central Planning Area, in lease blocks belonging to the Mississippi Canyon, Green Canyon, Garden Banks, Walker Ridge, and Sigsbee Escarpment protraction areas. More information on new activities can be found at: *http://www.boem.gov/Five-Year-Program-Annual-Progress-Report-2013/.*

Alaska

DOI also is moving forward with overseeing safe and responsible offshore oil and gas exploration in frontier areas, including certain areas in the Arctic. The Arctic holds substantial oil and gas potential, but also presents unique environmental and operational challenges. Offshore exploration in the Arctic must occur in a way that is safe, responsible, and respectful of the Alaska Native communities that depend on the ocean for subsistence.

To address these concerns, the current Program laid out a regionally-tailored, targeted leasing strategy in the Arctic that differs from the area-wide leasing model that is appropriate for the GOM, and is designed to result in a more focused leasing configuration that offers areas with the most promising oil and gas resource potential while also protecting areas with environmentally sensitive habitats and important social and cultural uses, including subsistence hunting and fishing activity.

Guided by this strategy, BOEM has begun the presale process by issuing the Call for Information (Call) for Chukchi Lease Sale 237 and Cook Inlet Lease Sale 244, both scheduled for 2016. The Call is an early step in the offshore oil and gas planning process and does not indicate a final decision about any areas that may be offered for oil and gas leasing in the future. BOEM will make decisions about potential areas for leasing after evaluating industry interest in the resource potential of specific areas, continuing its development and analysis of scientific information and traditional knowledge regarding environmental issues and potential conflicts with uses such as subsistence hunting and fishing, and conducting thorough environmental reviews and consultations under the National Environmental Policy Act and other laws. BOEM also will coordinate closely with other relevant Federal agencies, the State of Alaska and local governments, Alaska Native tribes and organizations, and stakeholders throughout this process.

Additionally, DOI has continued its coordination efforts through the Interagency Working Group on Coordination of Domestic Energy Development and Planning in Alaska, which was established in July 2011 through Executive Order 13580 and chaired by DOI. The Working Group has taken the lead on coordinating and finding efficiencies in the permitting process of energy projects across relevant Federal agencies.

Ongoing scientific studies and potential exploration in the coming years will inform leasing decisions for potential Arctic lease sales scheduled for the remainder of the 2012–2017 Program and future Five Year Programs.

Atlantic

While the three Atlantic planning areas are not included in the 2012–2017 Program, DOI is pursuing a specific strategy to evaluate potential future offshore oil and gas leasing in these areas. On February 27, 2014, BOEM completed a Programmatic EIS (PEIS) that evaluates the potential environmental impacts of proposed geological and geophysical (G&G) activities in the Mid- and South Atlantic (hereinafter, the PEIS). The preparation of the PEIS is part of a region-specific strategy to responsibly develop new information about the significance and location of oil and gas resources in the area. The PEIS provides critical information to support renewable energy and marine mineral G&G surveying. BOEM also has been working to identify and evaluate potential conflicts with other uses of these areas, particularly military activities. Any new data resulting from G&G activities performed in the Atlantic, as well as input received from stakeholders, including the general public, will provide BOEM with additional information to inform decisions concerning, potential leasing activities in the Atlantic.

Pacific Region

The four planning areas off the Pacific coast were not included for potential leasing in the 2012–2017 Program. This determination was consistent with the requirements of section 18 of the Act, which gives priority leasing consideration to areas where the combination of previous experience; local, state, and national laws and policies; and expressions of industry interest indicate that potential leasing and development activities could be expected to proceed in an orderly manner. The exclusion of the Pacific coast in the 2012–2017 Program is consistent with the long-standing interests of west coast states, as framed in an agreement that the governors of California, Washington, and Oregon signed in 2006. This agreement expressed the governors' opposition to oil and gas development off their coasts.

Eleven OCS oil and gas lease sales have been in the Pacific Region between 1963 and 1984. As a result of congressional moratoria and, later, presidential action, the Pacific OCS has not been included in any Five Year Program since the 1987–1992 Program. A total of 470 leases were issued in these 11 sales, and today, there are 43 producing leases and 23 oil and gas platforms (with six operators), all offshore southern California.

National Energy Needs

Section 18 of the OCS Lands Act requires that the Secretary consider national energy needs in formulating the Five Year Program. In developing the Five Year Program, BOEM will present an analysis of the Nation's anticipated energy needs. The analysis will include discussions of the U.S. Department of Energy's (DOE) projections of national energy needs in the Annual Energy Outlook (AEO), the potential contribution of OCS oil and natural gas production in meeting those needs, alternatives to OCS production, and considerations relating to regional energy needs. BOEM invites comments from anyone who would like to submit information related to the Nation's future energy needs for consideration in determining the appropriate size, timing, and location of OCS oil and gas leasing for the new Five-Year Program.

OCS Planning Areas To Be Considered and Analyzed

Section 18 of the OCS Lands Act requires that the Five Year Program be based upon a consideration of a comparative analysis of the oil- and gas-bearing regions of the OCS. BOEM has divided the OCS into 26 Planning Areas, which are depicted in Figures 1 and 2. The depicted maritime boundaries and limits, as well as divisions between planning areas, where shown, are for planning and administrative purposes only. Note that precise maritime boundaries between the United States and nearby or adjacent nations have not been determined in all cases. These depictions do not affect or prejudice in any manner the position of the United States, or its individual States, with respect to the nature or extent of

internal waters or of sovereign rights or jurisdiction.

Through the enactment of GOMESA, Congress, through June 30, 2022, placed off-limits to OCS oil and gas leasing, activities the Eastern Gulf of Mexico within 125 miles of Florida; all of the Eastern Gulf of Mexico east of 86 degrees, 41 minutes West longitude; and a portion of the Central Gulf of Mexico within 100 miles of Florida (see Figure 2).

The North Aleutian Basin, which includes the rich and vital fishing resources of Bristol Bay, was withdrawn from leasing consideration by the President in a statement on March 31, 2010, pursuant to section 12(a) of the OCS lands Act, 43 U.S.C. 1341(a). The withdrawal expires on July 1, 2017. Barring any further action, the North Aleutian Basin will be available for consideration in the 2017–2022 Program.

This notice requests information on all 26 planning areas, including areas currently under moratorium or otherwise withdrawn. As set forth in more detail later in this notice, the information requested is wide-ranging, including information on other uses of the sea, marine productivity, and environmental sensitivity. Accordingly, this notice invites and provides an opportunity for Governors of affected States, local government, industry, Federal agencies, and the general public, to provide suggestions and any other information they consider BOEM should evaluate for purposes of the 2017–2022 Program. The information solicited in this RFI will be considered in light of the factors specified by section 18 of the OCS Lands Act, which are discussed later in this notice. Based upon consideration of the analysis of those factors, the Secretary will prepare the DPP and decide which areas to include therein. Pursuant to section 18 of the OCS Lands Act, areas included in the DPP will be subject to further analysis as required under applicable law including, but not limited to, the environmental review process required under NEPA.

Section 18 of the OCS Lands Act

As previously noted, the Five Year Program preparation process will follow all the procedural and substantive requirements of section 18 of the OCS Lands Act. This notice solicits information and comments early in the preparation process pursuant to section 18(c)(1) of the OCSLA. BOEM will prepare a DPP based upon consideration of the information and comments received and analysis of the principles and factors specified in section 18 of the OCSLA. The DPP will present for review and comment a preliminary schedule of proposed lease sales and potential decision options.

Section 18 of the OCS Lands Act provides that, for purposes of preparing a Five Year Program, the Secretary should take into consideration the economic, social, and environmental values of all OCS resources, as well as the potential impact of oil and gas exploration and development on other resource values of the OCS and the marine, coastal and human environments. The eight factors that must be considered in determining the timing and location of leasing under the Five Year Program are set forth in section 18(a)(2) of the OCS Lands act, 43 U.S.C. 1344(a)(2). They include: (1) The existing information on the geographical, geological, and ecological characteristics of OCS regions; (2) equitable sharing of developmental benefits and environmental risks among the various regions; (3) the location of such regions with respect to, and the relative needs of regional and national energy markets; (4) the location of such regions with respect to other uses of the sea and seabed, including fisheries, navigation, existing or proposed sea lanes, potential sites of deepwater ports, and other anticipated uses of the resources and space of the OCS; (5) expressed industry interest in the development of oil and gas resources; (6) laws, goals, and policies of affected States specifically identified by governors; (7) the relative environmental sensitivity and marine productivity of different areas of the OCS; and (8) environmental and predictive information for different areas of the OCS.

The OCS Lands Act requires the Secretary to obtain a proper balance among the potential for environmental damage, the potential for discovery of oil and gas, and the potential for adverse impact on the coastal zone, for which the DOI will provide a cost-benefit analysis as appropriate to supplement qualitative consideration of these factors. The OCS Lands Act also requires that leasing activities assure the receipt of fair market value for the lands leased and rights conveyed by the Federal Government in the OCS.

Types of Information Requested

BOEM invites comments from anyone who would like to submit information and/or suggestions for consideration in determining, among others, the appropriate size, timing, and location of potential OCS oil and lease sales under the 2017–2022 Program. The type of information being requested by BOEM in this RFI is described below using general and specific headings. Regardless of these headings, please note that BOEM invites all private and public stakeholders, as well as the general public, to comment or provide any information that should be taken into consideration by BOEM during the preparation of the 2017–2022 Program.

General Information Requested

BOEM would like to receive comments and suggestions of national or regional application that would be useful in formulating the Five Year Program. The types of information that would be most useful in conducting the analysis, pursuant to section 18 of the OCS Lands Act, relate to the following factors:

(1) National energy needs for the period relevant to the new Five Year Program (*i.e.,* July, 2017 to June, 2022), in particular, the role of OCS oil and gas leasing activities in achieving national energy policy goals; the economic, social, and environmental values of the renewable and nonrenewable resources contained in the OCS; and the potential impact of oil and gas exploration and development on other OCS resource values and the marine, coastal, and human environments;

(2) existing information concerning geographical, geological, and ecological characteristics of the OCS planning areas and near shore and coastal environments;

(3) equitable sharing of developmental benefits and environmental risks among the various planning areas;

(4) location of planning areas with respect to, and the relative needs of, regional and national energy markets;

(5) other uses of the sea and seabed, including fisheries; navigation; military activities; existing or proposed sea lanes; potential sites of deepwater ports (including liquefied natural gas facilities); potential offshore wind, wave, current, or other alternative energy sites; and other anticipated uses of OCS resources and locations;

(6) relative environmental sensitivity and marine productivity of the different planning areas and/or a specific section(s) of a given OCS planning area;

(7) environmental and predictive information pertaining to offshore and coastal areas potentially affected by OCS oil and gas development including, but not limited to, socio-cultural and archaeological information; and

(8) methods and procedures for assuring the receipt of fair market value for lands leased.

Fair Market Value Information Requested

In developing the methods and procedures for assuring the receipt of fair market value for lands leased under section 18(a)(4) of the OCS Lands Act, 43 U.S.C. 1344(a)(4), BOEM sets lease fiscal and temporal terms, and other features relevant to bidding. Given BOEM's responsibility to ensure a fair market value return to the U.S. Government, BOEM is seeking information in response to the following questions:

(1) If DOI continues leasing in the Gulf of Mexico planning areas, are there changes to lease terms that will better meet the objectives of the OCS Lands Act? Lease terms subject to change include:

a. Minimum bids
b. Rental rates
c. Royalty rates, royalty structures (e.g., flat or sliding scale)
d. Initial period (also known as primary term) of the lease term and extended initial period (such as 7 years plus 3 years more if drilling commences)

(2) If DOI offers acreage for lease in planning areas outside the Gulf of Mexico, what fiscal terms for each planning area will best meet the objectives and limitations of the OCS Lands Act regarding the lease terms listed in items 1a. to 1d. above?

a. Is there an alternative design, e.g., auction-type design that may be better suited to achieve fair market value, either by changing the bidding variable or some other aspect of the competitive lease sale?

b. Should the upcoming program consider use of alternative and/or non-traditional fiscal terms, primary lease terms, auction formats, or tract offering sizes? Please state which of these features of the leasing process merit consideration for future use, where and under what conditions those changes might be useful, and explain why such a change is necessary or beneficial, e.g., demonstrate that exploration would not occur in selected frontier areas without larger than traditionally-sized tracts in lease sales.

Please note that BOEM is requesting information on these topics, as well as on the above fiscal topics, to inform its continuing evaluation of market conditions, available resources, bidding patterns (if applicable), and competitiveness of OCS lease terms with respect to each proposed sale. BOEM is asking for public input regarding lease terms or potential changes to lease terms concerning acreage offered during the 2017–2022 Program. BOEM also invites commenters to respond to the following questions:

(1) What do you think is the proper role of OCS oil and gas leasing as part of a comprehensive national energy policy? How should the Five Year Program be structured to fulfill this role?

(2) Should areas not included in the 2012–2017 Five Year Program be included in the new Five Year Program? If so, what areas should be included and what should be the proposed timeframe for lease sales in these areas?

(3) Although OCS oil and gas leasing typically is conducted through an extensive, long-established process, are there alternative ways to ensure appropriate consultation and to streamline the leasing procedures? How might BOEM best meet the purpose of the OCS Lands Act ''to insure that the extent of oil and gas resources of the outer Continental Shelf is assessed at the earliest practicable time?''

(4) If new areas are leased for exploration and potential development, what short-term and long-term impacts can be foreseen for the economies of coastal communities?

(5) If new areas are considered for oil and gas leasing, how should ecological considerations be weighed against national and local economic benefits?

(6) If new areas are not leased for exploration and potential development, what environmental impacts do you foresee from other sources of energy?

(7) While increased domestic onshore production is not expected to fully replace imports of crude oil over the life of the new Five Year Program, new production, market factors, and other forces have allowed U.S. refineries to export more petroleum products than the Nation imported in each of the last few years. Should this affect decisions as to size, timing, and location (especially for frontier areas) of future OCS oil and gas leasing?

(8) Increased onshore production also could potentially lead to exports of liquefied natural gas (LNG) in the near future. Should the potential for LNG or other exports affect decisions as to size, timing, and location (especially for frontier areas) of future oil and gas leasing?

Specific Information Requested

From States

For coastal States, pursuant to section 18(f)(5) of the OCS Lands Act (43 U.S.C. 1344(f)(5)) and implementing regulations at 30 CFR 556.20, BOEM requests information concerning the relationship between OCS oil and gas activity and the States' coastal zone management programs that are being developed, or are administered, under section 305 or 306 of the Coastal Zone Management Act of 1972, as amended, (16 U.S.C. 1454, 1455). BOEM also requests that non-coastal and coastal States submit information concerning environmental risk and potential for damage to coastal and marine resources associated with OCS development, information related to other uses of the sea, and any information that is relevant to equitable sharing of developmental benefits and environmental risks associated with OCS oil and gas activity (or the likely energy substitutes in the absence of new OCS leasing). In addition, for non-coastal and coastal States, information is requested on the impacts of rising hydrocarbon product prices and potential shortages on the State and national economies and citizens.

From Oil and Gas Industry

Pursuant to section 18(a)(2)(E) of the OCS Lands Act (43 U.S.C. 1344(a)(2)(E)), the interest of oil and gas producers in the development of oil and gas resources, as indicated by exploration or nomination, should be taken into account during the preparation of the Five Year Program. Industry respondents should base this information upon their expectations as of 2014. For each planning area in which industry respondents are interested, they should submit information concerning unleased hydrocarbon potential, future oil and gas price expectations, and other relevant information that the industry respondent uses in making OCS oil and gas leasing decisions. BOEM requests that industry respondents provide additional information, as specified below:

(1) Indicate the OCS Planning Area(s) where the industry respondent would be interested in acquiring oil and gas leases, regardless of whether the area currently is unavailable. If more than one Planning Area is of interest, rank all areas of interest (including those now being offered, if appropriate) in order of preference.

(2) Indicate the number and timing of lease sales in the period 2017–2022 that would be appropriate for each Planning Area. If only one lease sale in a Planning Area is appropriate, indicate whether that area should be considered for leasing early or late in the five-year schedule. If more than one lease sale in a planning area is suggested, indicate the preferred interval between lease sales.

(3) Indicate the lead time to production in areas that are not part of

the 2012–2017 Program or currently do not have infrastructure or production, relative to lead-times to new production in previously leased areas like the Central and Western Gulf of Mexico.

Section 18(g) of the OCS Lands Act (43 U.S.C. 1344(g)) authorizes confidential treatment of privileged or proprietary information. In order to protect the confidentiality of privileged or proprietary information, industry respondents should include such information as an attachment to other comments submitted, and should clearly note that the attachment contains privileged or proprietary information, so that there is no ambiguity about what portions of the comments are confidential or proprietary. Upon request, BOEM will treat the privileged or proprietary information that is attached to a response as confidential from the time of its receipt until five years after approval of the 2017–2022 Program, in a manner consistent with the Freedom of Information Act. However, BOEM will not treat as confidential any aggregate summaries of privileged or proprietary information, the names of industry respondents, or comments not containing this information. If submitting comments or information in hard copy, industry respondents should affix the label ''Contains Confidential Information'' on any envelope containing privileged or proprietary information.

From the U.S. Department of Commerce

Pursuant to section 18(f)(5) of the OCS Lands Act (43 U.S.C. 1344(f)(5)) and implementing regulations at 30 CFR 556.20, BOEM requests information concerning relationships between affected States' coastal zone management programs and OCS oil and gas activities. In coordination with this notice, BOEM will also send a letter to the Secretary of Commerce soliciting such information.

From the U.S. Department of Energy

Pursuant to implementing regulations at 30 CFR 556.16, BOEM requests information concerning regional and national energy markets, OCS production goals, and on transportation networks. In coordination with this notice, BOEM will also send a letter to the Secretary of Energy soliciting such information.

Public Comment Procedure

BOEM will accept comments in one of two formats: Internet commenting system or regular mail. BOEM's preference is to receive comments via the Internet commenting system. Comments should be submitted using only one of these formats, and include full names and addresses of the individual submitting the comment(s). Comments submitted by other means may not be considered. BOEM will not consider anonymous comments. BOEM will make available for public inspection in their entirety, all comments submitted by organizations and businesses, or by individuals identifying themselves as representatives of organizations or businesses.

BOEM's practice is to make comments, including the names and addresses of individuals, available for public review. An individual commenter may ask that BOEM withhold from the public record his or her name, home address, or both, and BOEM will honor such a request to the extent allowable by law. If individuals submit comments and desire withholding of such information, they must so state prominently at the beginning of their submission.

Commenting via Internet

Internet comments should be submitted via the Federal eRulemaking Portal at *http://www.regulations.gov.* BOEM requests that commenters follow these instructions to submit their comments via this Web site:

(1) In the search tab on the main page, search for BOEM–2014–0059.

(2) Locate the document, then click the ''Submit a Comment'' link either on the Search Results page or the Document Details page. This will display the Web comment form.

(3) Enter the submitter information and type the comment on the Web form. Attach any additional files (up to 10MB). (Please do not forget to separately attach, and note, any privileged or proprietary information.)

(4) After typing the comment, click the ''Preview Comment'' link to review. Once satisfied with the comment, click the ''Submit'' button to send the comment.

Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's ''User Tips'' link.

Commenting via Regular Mail

Mail comments and information on the 2017–2022 Program to Ms. Kelly Hammerle, Five Year Program Manager, BOEM (HM–3120), 381 Elden Street, Herndon, Virginia 20170. Environmental comments relevant to oil and gas development on the OCS should be sent to Mr. James F. Bennett, Chief, Division of Environmental Assessment, BOEM (HM–3017), 381 Elden Street, Herndon, Virginia 20170. If commenters submit any privileged or proprietary information to be treated as confidential, they should mark the envelope ''Contains Confidential Information.'' BOEM will post all comments, subject to the limitations described above in this section.

Dated: May 22, 2014.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

BILLING CODE 4310–MR–P

Figure 1

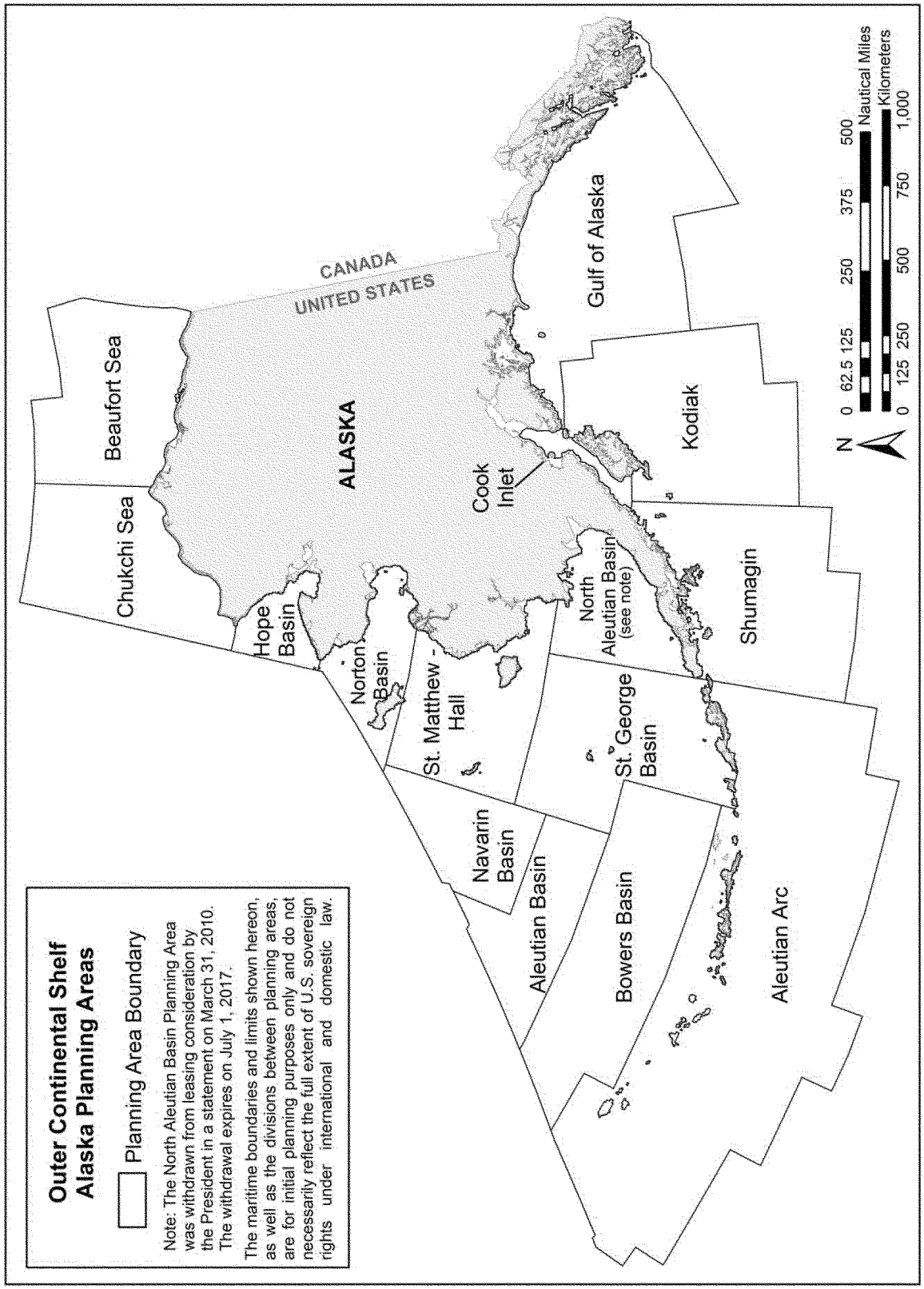
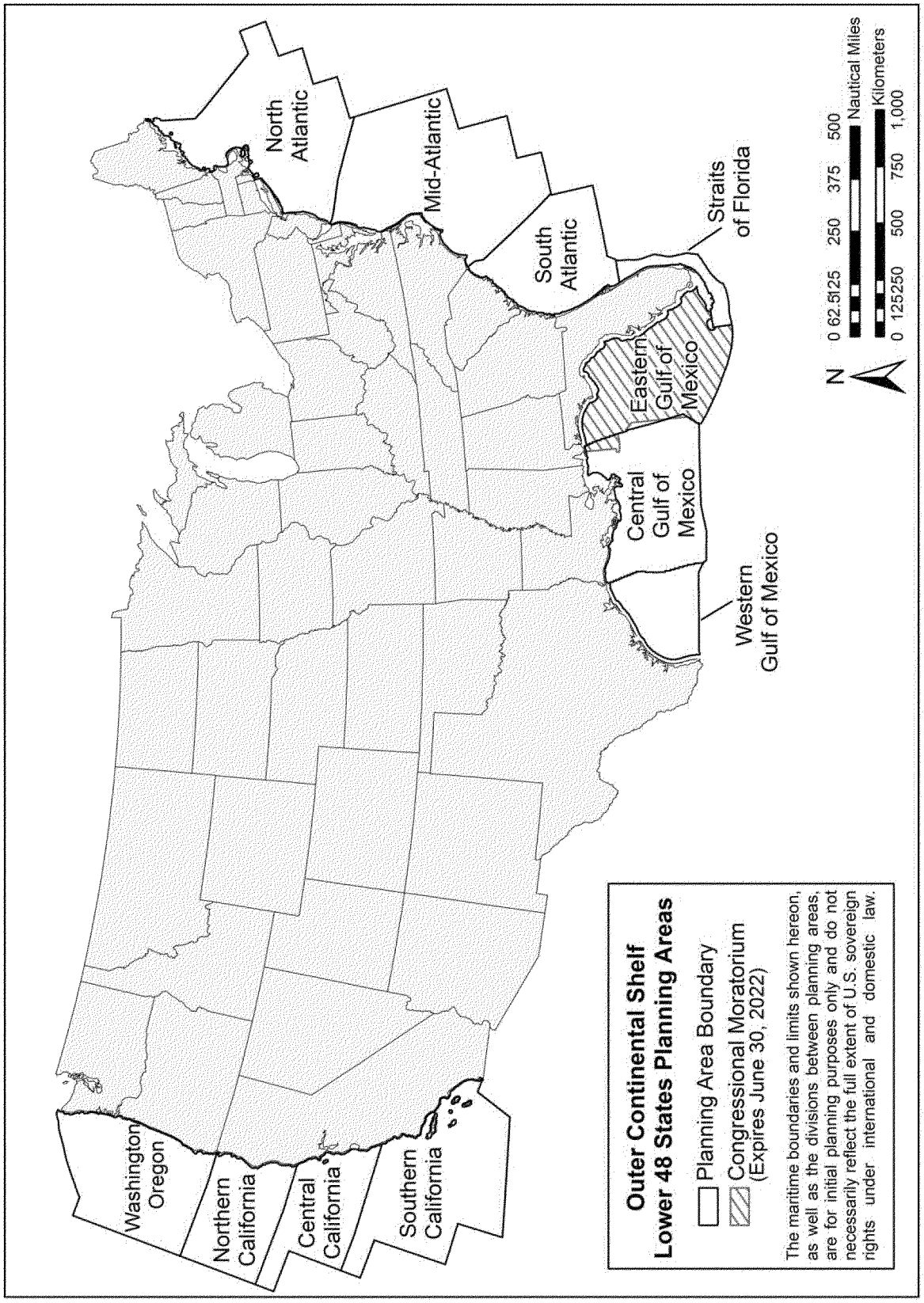

Outer Continental Shelf
Alaska Planning Areas
Planning Area Boundary
Note: The North Aleutian Basin Planning Area was withdrawn from leasing consideration by the President in a statement on March 31, 2010. The withdrawal expires on July 1, 2017.
The maritime boundaries and limits shown hereon, as well as the divisions between planning areas, are for initial planning purposes only and do not necessarily reflect the full extent of U.S. sovereign rights under international and domestic law.
Beaufort Sea
Chukchi Sea
Hope Basin
Norton Basin
St. Matthew - Hall
Navarin Basin
Aleutian Basin
Bowers Basin
Aleutian Arc
St. George Basin
North Aleutian Basin (see note)
Shumagin
Kodiak
Gulf of Alaska
Cook Inlet
ALASKA
CANADA
UNITED STATES
N
0 62.5 125 250 375 500 Nautical Miles
0 125 250 500 750 1,000 Kilometers

Figure 2


Washington Oregon
Northern California
Central California
Southern California
North Atlantic
Mid-Atlantic
South Atlantic
Straits of Florida
Eastern Gulf of Mexico
Central Gulf of Mexico
Western Gulf of Mexico
N
0 62.5125 250 375 500 Nautical Miles
0 125250 500 750 1,000 Kilometers
Outer Continental Shelf
Lower 48 States Planning Areas
Planning Area Boundary
Congressional Moratorium (Expires June 30, 2022)
The maritime boundaries and limits shown hereon, as well as the divisions between planning areas, are for initial planning purposes only and do not necessarily reflect the full extent of U.S. sovereign rights under international and domestic law.

[FR Doc. 2014–14039 Filed 6–13–14; 8:45 am]
BILLING CODE 4310–MR–C

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–919]

Certain Archery Products and Related Marketing Materials; 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 9, 2014, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Bear Archery, Inc. of Evansville, Indiana and SOP Services, Inc. of Las Vegas, Nevada. A letter amending the complaint was filed on May 27, 2014. The complaint, as amended, 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 archery products and related marketing materials by reason of infringement of: (1) Certain claims of U.S. Patent No. RE38,096 (''the '096 patent''); U.S. Patent No. 6,978,775 (''the '775 patent''); and U.S. Patent No. 7,226,375 (''the '375 patent''); and (2) U.S. Trademark Registration No. 2,501,255 (''the '255 trademark'') and U.S. Trademark Registration No. 3,312,392 (''the '392 trademark''). 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.

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 10, 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) and/or subsection (a)(1)(C) 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 archery products and related marketing materials by reason of infringement of: (1) One or more of claims 1–3, 6–12, and 15–38 of the '096 patent and claims 1–3, 16–22, 24–26, 29, 31, and 32 of the '775 patent; and/or (2) the '255 trademark or the '392 trademark, including 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:

Bear Archery, Inc., 817 Maxwell Avenue, Evansville, IN 47706;

SOP Services, Inc., 2325–B Renaissance Drive, Suite 10, Las Vegas, NV 89119.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Ningbo Topoint Outdoor Sports Co., Ltd., Build 3, No. 8, Dapuhe Road, Daqi Town, Beilun District, Ningbo, Zhejiang, China 315806.

(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 respondent 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.

Dated: June 10, 2014.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2014–13927 Filed 6–13–14; 8:45 am]
BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1140–0096]

Agency Information Collection Activities: Proposed eCollection eComments Requested; Environmental Information

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 79, Number 70, page

20234 on April 11, 2014, allowing for a 60 day comment period.

DATES: The purpose of this notice is to allow for an additional 30 days for public comment until July 16, 2014.

FOR FURTHER INFORMATION CONTACT: If you have comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Christopher Reeves, Bureau of Alcohol, Tobacco, Firearms and Explosives, Federal Explosives Licensing Center, 244 Needy Road, Martinsburg, WV 25405. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or send email to *OIRA_submission@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the 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.

Overview of this Information Collection 1140–0096:

(1) *Type of Information Collection:* Extension without change of an existing collection.

(2) *Title of the Form/Collection:* Environmental Information.

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: ATF Form 5000.29.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Individual or households.

Other: None.

Abstract: The information will help ATF identify any waste product(s) generated as a result of the operations by the applicant and the disposal of the products. The information will help determine if there is any adverse impact on the environment.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 680 respondents will take 30 minutes to complete the form.

(6) *An estimate of the total public burden (in hours) associated with the collection:*

The estimated annual public burden associated with this collection is 340 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E–405B, Washington, DC 20530.

Dated: June 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014–13995 Filed 6–13–14; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

[OMB Number 1140–0049]

Agency Information Collection Activities: Proposed eCollection eComments Requested; Application for National Firearms Examiner Academy

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 79, Number 70, page 20234 on April 11, 2014, allowing for a 60-day comment period.

DATES: The purpose of this notice is to allow for an additional 30 days for public comment until July 16, 2014.

FOR FURTHER INFORMATION CONTACT: If you have comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Sheila Hopkins, Bureau of Alcohol, Tobacco, Firearms and Explosives, National Laboratory Center, 6000 Ammendale Road, Ammendale, MD 20705. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or send email to *OIRA_submission@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the 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.

Overview of this Information Collection 1140–0049:

(1) Type of Information Collection: Revision of an existing collection.

(2) Title of the Form/Collection: Application for National Firearms Examiner Academy.

(3) Agency form number, if any, and the applicable component of the Department sponsoring the collection:

Form number: ATF Form 6330.1.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) Affected public who will be asked or required to respond, as well as a brief abstract:

Primary: State, Local, or Tribal Government.

Other: Federal Government.

Abstract: The information requested on this form is necessary to process requests from prospective students to attend the ATF National Firearms Examiner Academy and to acquire firearms and toolmark examiner training. The information collection is used to determine the eligibility of the applicant.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: An estimated 75 respondents will take 12 minutes to complete the form.

(6) An estimate of the total public burden (in hours) associated with the collection:

The estimated annual public burden associated with this collection is 15 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E–405B, Washington, DC 20530.

Dated: June 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014–13994 Filed 6–13–14; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

[OMB Number 1140–0002]

Agency Information Collection Activities: Proposed eCollection eComments Requested; Application for Restoration of Firearms Privileges

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 79, Number 70, page 20235, on April 11, 2014, allowing for a 60 day comment period.

DATES: The purpose of this notice is to allow for an additional 30 days for public comment until July 16, 2014.

FOR FURTHER INFORMATION CONTACT: If you have comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact William Joa, Bureau of Alcohol, Tobacco, Firearms and Explosives, Redstone Arsenal, Bldg. 3750, Huntsville, AL 35898. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington DC 20503 or send email to *OIRA_submission@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the 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.

Overview of this Information Collection 1140–0002:

(1) Type of Information Collection: Extension of a currently approved collection.

(2) Title of the Form/Collection: Application for Restoration of Firearms Privileges.

(3) Agency form number, if any, and the applicable component of the Department sponsoring the collection:

Form number: ATF Form 3210.1.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice

(4) Affected public who will be asked or required to respond, as well as a brief abstract:

Primary: Individual or households.

Other: Business or other-for-profit.

Abstract: Certain categories of persons are prohibited from possessing firearms. ATF F 3210.1, Application for Restoration of Firearms Privileges is the basis for ATF investigating the merits of an applicant to have his/her rights restored.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: An estimated 250 respondents will take 30 minutes to complete the form.

(6) An estimate of the total public burden (in hours) associated with the collection:

The estimated annual public burden associated with this collection is 125 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E–405B, Washington, DC 20530.

Dated: June 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014–13993 Filed 6–13–14; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0184]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of Existing Collection; School Crime Supplement (SCS) to the National Crime Victimization Survey (NCVS)

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs (OJP),

Bureau of Justice Statistics (BJS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted for 60 days until August 15, 2014.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Rachel Morgan, Statistician, Bureau of Justice Statistics, 810 Seventh St. NW., Washington, DC 20531 (email *Rachel.Morgan@usdoj.gov;* telephone 202–307–0765).

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

(2) 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;

(3) Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of information collection:* Revision of currently approved collection.

(2) *The title of the Form/Collection:* School Crime Supplement (SCS) to the National Crime Victimization Survey (NCVS).

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Forms: SCS–1. Bureau of Justice Statistics, Office of Justice Programs, United States Department of Justice.

(4) *Affected public who will be asked to respond, as well as a brief abstract:* Primary: The survey will be administered to persons ages 12 to 18 in NCVS sampled households in the United States. The School Crime Supplement (SCS) to the National Crime Victimization Survey (NCVS) collects, analyzes, publishes, and disseminates statistics on the students' victimization, perceptions of school environment, and safety at school.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Approximately 14,461 respondents between the ages of 12 and 18 will be eligible to complete an SCS interview. This is an increase of 4,909 respondents from the 2013 SCS data collection. Based on the 2013 SCS data collection, we expect that the SCS will take no longer than about 17.5 minutes to administer. The majority of respondents will complete the long SCS interview (entire SCS questionnaire) which will take an estimated 0.292 hours (17.52 minutes) to complete. Based on the 2013 SCS data collection, we expect the completion rate to be 51.7% for the long interview. The remainder of the respondents will complete the short interview (i.e. will be screened out for not being in school), which will take an estimated 0.047 hours (2.83 minutes) to complete. We expect the completion rate to be 8.2% for the short interview. This will amount to a total increase in burden response of 760 hours (((4,909*0.517)*0.292) + ((4,909*0.082)*0.047))). Due to the changes in the 2015 SCS instrument, we anticipate a total decrease in burden of 89 hours. This is a net increase of 671 (760–89) hours in respondent burden compared to the 2013 submitted total respondent burden estimate of 1,773 hours. The total respondent burden is approximately 2,444 (1,773+671) hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total respondent burden is approximately 2,444 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405B, Washington, DC 20530.

Dated: June 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014–13996 Filed 6–13–14; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

On June 9, 2014, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of Missouri in the lawsuit entitled *United States and the State of Missouri* v. *United States Steel Corporation,* Civil Action No. 14-cv 5078.

The Consent Decree settles claims asserted in a Complaint filed against United States Steel Corporation (USS) by the United States, on behalf of DOI in its capacity as trustee for federal Natural Resources and the State of Missouri, on behalf of the Missouri Department of Natural Resources, in its capacity as trustee for state Natural Resources in Missouri, under Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act and Section 644.096 RSMo of the Missouri Clean Water Law. The Complaint alleges that USS is liable for natural resource damages at the Waco Designated Area of Oronogo-Duenweg Mining Belt Super Fund Site located in Jasper County Missouri resulting from the releases of hazardous substances at properties owned and operated by predecessors in interest to USS. The Consent Decree requires USS to pay natural resource damages in the amount of $222,462.64 into a fund, to be jointly administered by the United States and State of Missouri, which will be used to replace, restore or acquire the equivalent of the injured and destroyed natural resources for which USS is responsible. USS will also reimburse the governments' past natural damage assessment costs in the amount of $35,432.62 to the United States and $8,375.74 to the State of Missouri.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Missouri* v. *United States Steel,* D.J. Ref. No. 90–11–2–1081/7. Comments must be submitted no later than thirty (30) days after the

publication date of this notice. Comments may be submitted either by email or mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $5.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Susan Akers,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2014–13885 Filed 6–13–14; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Roy S. Schwartz; Decision and Order

On October 7, 2013, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Roy S. Schwartz, D.D.S. (hereinafter, Registrant), of Tacoma, Washington. The Show Cause Order proposed the revocation of Registrant's DEA Certificate of Registration, which authorizes him to dispense controlled substances as a practitioner, and the denial of any pending applications to renew or modify his registration, on the ground that his ''continued registration is inconsistent with the public interest.'' GX 1, at 1.

More specifically, the Show Cause Order alleged Registrant had procured controlled substances for one Dr. Raymond Wilkinson, who had previously held a DEA registration but which he had surrendered for cause, and that Registrant distributed controlled substances to Dr. Wilkinson who used them to sedate a patient at Registrant's registered address. *Id.* at 1–2. The Show Cause Order also alleged Dr. Wilkinson removed the controlled substances from Registrant's registered address and administered them ''to individuals with whom [Registrant] did not establish a doctor patient relationship.'' *Id.* at 2 (citations omitted).

Next, the Show Cause Order alleged that Registrant had made ''material false and misleading statements to investigators during the initial phase of the investigation, including denying [that he knew] where Dr. Wilkinson obtained the controlled substances, denying ordering controlled substances, and stating that [he was] unfamiliar with DEA Forms–222.'' *Id.* The Order then set forth various statements Registrant allegedly made including that on November 2, 2012, he told Washington Department of Health Investigators that he ''did not know where Dr. Wilkinson obtained controlled substances and that [he] never ordered controlled substances.'' *Id.* Based on various statements Registrant made to both Washington State and DEA Investigators, the Government also alleged that Registrant had ''turned a willful blind eye to the diversion of controlled substances you obtained using your own DEA Certificate of Registration.'' *Id.* at 3.

The Show Cause Order further alleged that during an on-site inspection of his registered location, DEA Investigators found that Registrant: (1) Did not have an initial or biennial inventory of controlled substances; (2) failed to properly document the receipt of controlled substances on DEA Form 222s; (3) failed to maintain all invoices of schedule II through V controlled substances and/or ''failed to maintain . . . records in readily retrievable form''; and 4) failed to maintain effective controls against diversion by ''allowing Dr. Wilkinson to maintain controlled substances in a locked suitcase in an unlocked cabinet at an unregistered location.'' *Id.* at 3–4 (citations omitted). Finally, the Show Cause Order alleged DEA Investigators conducted an audit, which found that Registrant had overages of two ampules of 2 ml. fentanyl 50mcg/ml., ten ampules of 5 ml fentanyl 50mcg/ml., and 131 vials of 2 ml. midazolam 1mg/ml. *Id.* at 4.

On October 8, 2013, a DEA Diversion Investigator (DI) personally served the Show Cause Order on Registrant. GX 4. While the Show Cause Order explained that Registrant had the right to request a hearing on the allegations, the procedure for requesting a hearing (by sending his request to the Hearing Clerk, DEA Office of Administrative Law Judges, at a Springfield, Va., mailing address) and that if he failed to do so within 30 days of receipt of the Order, he would ''be deemed to have waived [his] right to a hearing,'' GX 1, at 4; Registrant did nothing until November 20, 2013, when he wrote the DI (who was located in Seattle, Washington) requesting a continuance of the time for him to respond to the Order. GX 5, at 3. On December 4, 2013, after the letter to the DI was returned undelivered, Registrant wrote the Hearing Clerk requesting a continuance; this letter was received on December 9, 2013, and the matter was assigned to an Administrative Law Judge (ALJ).

Thereafter, pursuant to the ALJ's order, the Government filed a notice of service and a motion to terminate the proceeding on the ground that Registrant had neither timely requested a hearing nor demonstrated good cause for failing to do so. GX 8. While Registrant claimed that he had inadvertently mailed his letter to the DI (as well as attached his previous letter in which he asserted that he had encountered difficulty finding an attorney to represent him), GX 7, the ALJ found that this did not establish good cause. GX 9, at 9. The ALJ therefore granted the Government's motion to terminate the proceeding.

Thereafter, the Government submitted a Request for Final Agency Action to my Office. Having reviewed the record, I find that Registrant failed to timely request a hearing and has failed to demonstrate good cause to excuse his untimely filing. Accordingly, I find that Registrant has waived his right to a hearing and issue this Decision and Order based on the Investigative Record submitted by the Government. I make the following findings of fact.

Findings

Registrant is the holder of DEA Certificate of Registration, pursuant to which he is authorized to dispense controlled substances in schedules II through V, as a practitioner, at the registered location of: 1901 S. Union Ave, Suite B4008, Allenmore Medical Center Building B, Tacoma, WA 98405–1804. GX 3. His registration does not expire until February 28, 2015. *Id.*

According to the affidavit of an Investigator with the Washington Department of Health (hereinafter, DOH), the DOH received complaints that one Dr. Raymond Wilkinson had used expired fentanyl and ketamine to perform conscious sedation on patients at the University of Washington's Periodontics Clinic. GX 10, at 1. However, the drugs (which are schedule II and schedule III controlled substances

respectively [1]) were not stocked at the clinic. *Id.* Moreover, years ago, Dr. Wilkinson had surrendered his DEA registration for cause. GX 18, at 6.

On November 2, 2012, DOH Investigators went to Dr. Wilkinson's dental practice, which was in the same office as that of Registrant. GX 10, at 2. Upon arriving, they met Registrant who told them that Dr. Wilkinson was not present and only worked at the office on Mondays and did so as an independent contractor. *Id.*

Registrant agreed to an interview, during which he stated that neither he nor Wilkinson provided conscious sedations at Registrant's office. *Id.* Registrant admitted, however, that he knew that Wilkinson was providing conscious sedation at other offices. *Id.* Moreover, Registrant stated that he had no idea as to how Wilkinson had obtained the drugs he used to sedate patients and ''that he did not order or use sedation drugs in his practice.'' *Id.* However, Registrant then admitted knowing that Wilkinson kept controlled substance in a briefcase at Registrant's office and that Wilkinson took the drugs offsite to perform conscious sedation. *Id.* He also stated that he was unfamiliar with the DEA Form which is used to order schedule II controlled substances (Form-222).

Three days later, DOH Investigators returned to Registrant's office and interviewed Dr. Wilkinson. *Id.* at 3. During the interview, Wilkinson admitted to bringing controlled substances from Registrant's office to the University of Washington's Periodontics Clinic, as well as that he provided sedation services for multiple dentists including Registrant. *Id.* He also stated that Registrant had purchased the controlled substances for him from a local pharmacy, that Registrant completed the Form 222s, and that the latter's office manager would pick up the orders. *Id.*

Dr. Wilkinson then showed the DOH Investigators his ''sedation kit,'' which according to the DOH Investigator, ''he kept in a locked file-box within an unlocked cabinet.'' *Id.* Upon opening the kit, the Investigator found the following items: (1) A cash receipt for a prescription for Registrant for 50 midazolam 2mg/ml injectable; (2) an un-opened box of 25 midazolam 2mg/ml vials; (3) an opened box which contained 11 midazolam 2mg/ml vials; (4) a blister pack of 10 ampules of fentanyl citrate 250mcg; and (5) a blister pack with one ampule remaining of fentanyl citrate 100mcg; and (6) a hand-written drug log. *Id.*

On November 9, 2012, DEA Investigators went to Registrant's practice. GX 2, at 3. Registrant admitted that ''he did not make, maintain, or review any of the controlled substance records.'' *Id.* Registrant acknowledged that he knew that Wilkinson did not have a DEA registration and yet was providing sedation to patients at other offices; he also asserted that Wilkinson ''did not provide sedation for his . . . patients.'' *Id.* at 4. Registrant also admitted that he used his DEA registration to obtain the controlled substances that Wilkinson needed to perform sedation and acknowledged having signed several Form 222s. *Id.* at 4. Registrant further stated that the controlled substances belonged to Wilkinson and that he was ''doing a favor for a friend.'' *Id.*

On December 10, 2012, two DIs returned to Registrant's practice and conducted an on-site inspection. *Id.* While Registrant consented to the inspection, he declined to participate in it. *Id.* However, Dr. Wilkinson was present and assisted the DIs, who asked him to provide various records. *Id.*

Dr. Wilkinson stated that Registrant ''never had access to the controlled substances or records'' and stated that all of the drugs were ordered from a local pharmacy. *Id.* at 5. Wilkinson also stated that 90 percent of the sedations he did were done at the practices of other dentists. *Id.*

The DIs further determined that Registrant did not have either an initial or biennial inventory of the controlled substances. *Id.* According to a DI, while Dr. Wilkinson produced a dispensing log, which contained twenty-six records, ''[a]ll of the entries failed to record'' the ''patient address, finished form and initials of [t]he dispenser.'' *Id.* Moreover, only three of the entries ''noted the volume of the finished form'' which was dispensed. *Id.* The DI further asserted that ''the dispensing log did not contain at least two years' worth of records.'' *Id.*

The DI, who had previously obtained copies of the Form-222s from the pharmacy where Registrant purchased the drugs, determined that Registrant was missing at least one such form. *Id.* at 6. Moreover, Registrant had failed to record the actual number of containers received and the dates of receipt. *Id.* The DI further asserted that Registrant was unable to identify who had prepared several of the forms. *Id.* In addition, the DI found that Registrant ''failed to maintain . . . any Schedule III–V acquisitions invoices'' and that while the controlled substances were kept ''in a locking briefcase,'' they were kept in an unlocked cabinet in Wilkinson's office. *Id.*

Subsequently, the DI conducted an audit ''utilizing the closing inventory assembled during the on-site inspection, [the] dispensing log entries, and the Form-222s.'' *Id.* The DI did not, however, ''record the acquisition of any [s]chedule III–V controlled substances due to the lack of invoices.'' *Id.* The DI further stated that he ''used an initial inventory date of January 1, 2012, beginning of business, and noted that the initial inventory was 'zero' due to lack of an initial or biennial inventory.'' *Id.*

According to the DI's affidavit, the audit found overages of two ampules of 2ml fentanyl 50mcg/ml; ten ampules of 5ml fentanyl 50mcg/ml; and 131 vials of 2 ml midazolam 1mg/ml. *Id.* at 7. However, the record also includes a computation chart which lists various data that were obtained from Dr. Wilkinson's records as well as the pharmacy which supplied the drugs. *See* GX 12, at 2. Notably, this data includes figures (other than 0) in the ''initial inventory'' column and which are listed in entries that are labeled ''Wilkinson Records,'' as well as data for the midazolam purchases based on both the pharmacy records and Wilkinson's records. *Id.* Moreover, using Wilkinson's figures, the audit found, with respect to both the fentanyl and midazolam, that all of the drugs which were purchased were accounted for. *Id.*

The DI further declared that he had been informed by a DOH Investigator that one of Registrant's patients (J.F.) had received conscious sedation from Dr. Wilkinson at the latter's office. GX 2, at 8. As found above, in November 2012, Registrant had stated to both DOH and DEA Investigators that Wilkinson had not provided conscious sedation at his office. According to the DI, he subpoenaed J.F.'s medical records and determined ''that in July 2012, Dr. Wilkinson utilized controlled substances to provide conscious sedation to'' J.F. at Registrant's practice. *Id.; see also* GX 17 & 20.

As part of the record, the Government included several letters from Registrant to both DOH and the DI. In a letter to DOH, Registrant asserted ''that under the sense of friendship[,] collegiality and economy, I made the decision to let another doctor share my DEA license'' and ''[i]t did not occur to me that sharing the license with a dentist operating in my office and building would be illegal'' as he was told by the

[1] *See* 21 CFR 1308.12(c) (fentanyl) and 21 CFR 1308.13(c) (ketamine).

DI.[2] GX 15, at 7. Registrant further stated that he had known that ''Dr. Wilkinson had taught [iv] [s]edation at the University of Washington Dental School for years,'' and that he ''had complete confidence that he would be well versed in the proper procedures for ordering and using the drugs for [iv] [s]edation.'' *Id.* Registrant then stated that Wilkinson told him ''that he would use the drugs in 'neighboring practices' where dental sedation was required in the treatment of patients'' and that it was his ''understanding'' that this meant only ''dental practices in our immediate locality.'' *Id.*

Registrant then explained that Dr. Wilkinson arranged with his secretary ''to order the drugs he needed'' and that he ''would sign off on the order.'' *Id.* Registrant further stated that he ''never saw, received or handled the drugs that were ordered by Dr. Wilkinson,'' and that the ''drugs were given directly to Dr. Wilkinson for his use and maintenance'' on patients that were unknown to Registrant. *Id.; see also id.* at 9. Registrant further stated that ''Dr. Wilkinson was responsible for maintaining the required paperwork for using these drugs including receipts, dispensing, and inventory of what amount of the drugs remained in his possession.'' *Id.* at 7.

Registrant further wrote that he was unaware that Dr. Wilkinson's state dental license had been suspended and that he had surrendered his DEA registration for cause, as Wilkinson had not informed him of this when they ''discussed the sharing of my DEA license.'' *Id.* at 8. Registrant further noted that he had prescribed controlled substances ''for over fifty years without any incidents.'' *Id.*

Registrant further stated that he always gives his patients a prescription, and that ''[i]n his over fifty years of practice, [he] has never stored any controlled substances in his office.'' *Id.* at 10. He also denied making false and misleading statements to either DOH or DEA Investigators. *Id.* Finally, he stated that he did not employ Dr. Wilkinson. *Id.*

Discussion

Section 304(a) of the Controlled Substances Act (CSA) provides that a registration to ''dispense a controlled substance . . . may be suspended or revoked by the Attorney General upon a finding that the registrant . . . *has committed such acts* as would render his registration under section 823 of this title inconsistent with the public interest as determined under such section.'' 21 U.S.C. § 824(a)(4) (emphasis added). With respect to a practitioner, the Act requires the consideration of the following factors in making the public interest determination:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing . . . controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health and safety. *Id.* § 823(f).

''These factors are . . . considered in the disjunctive.'' *Robert A. Leslie, M.D.,* 68 FR 15227, 15230 (2003). It is well settled that I ''may rely on any one or a combination of factors[,] and may give each factor the weight [I] deem[] appropriate in determining whether a registration should be revoked. *Id.; see also MacKay* v. *DEA,* 664 F.3d 808, 816 (10th Cir. 2011); *Volkman* v. *DEA,* 567 F.3d 215, 222 (6th Cir. 2009); *Hoxie* v. *DEA,* 419 F.3d 477, 482 (6th Cir. 2005). Moreover, while I am required to consider each of the factors, I ''need not make explicit findings as to each one.'' *MacKay,* 664 F.3d at 816 (quoting *Volkman,* 567 F.3d at 222 (quoting *Hoxie,* 419 F.3d at 482)).[3]

Even where a Registrant fails to request a hearing or to submit a written statement in lieu of a hearing, the Government has the burden of proving, by a preponderance of the evidence, that the requirements for revocation or suspension pursuant to 21 U.S.C. § 824(a) are met. 21 CFR 1301.44(e). In this matter I have considered all of the statutory factors and deem it unnecessary to make findings with respect to factors one, two, three, and five. However, having considered all of the evidence in this matter, including the statements Registrant made to Investigators, I conclude that evidence with respect to factor four is sufficient to establish that Registrant has committed such acts as to render his registration inconsistent with the public interest.

Factor Four—Compliance With Applicable Laws Related to Controlled Substances

Under the CSA, it is ''unlawful for any person [to] knowingly or intentionally . . . distribute . . . a controlled substance,'' ''[e]xcept as authorized by this subchapter.'' 21 U.S.C. § 841(a)(1). The CSA specifically recognizes various categories of registration to include, *inter alia,* manufacturers, distributors and practitioners, *see id.* § 823; and provides that a registrant may possess and engage in controlled substance activities ''to the extent authorized by their registration and in conformity with the other provisions of this subchapter.'' *Id.* § 822(b); *see also* 21 CFR 1301.13(e) (''Any person who is required to be registered and who is not so registered, shall make application for registration for one of the following groups of activities, which are deemed to be independent of each other.''). So too, the CSA limits the circumstances in which a person may lawfully possess a controlled substance to where the substance ''was obtained directly, pursuant to a valid prescription or order, from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by'' the CSA. 21 U.S.C. § 844(a).

Under the CSA, a practitioner's registration authorizes its holder to dispense controlled substances, 21 U.S.C. § 823(f); *i.e.,* ''to deliver a controlled substance to an ultimate user . . . by, or pursuant to the lawful order of, a practitioner, including the prescribing and administering of a controlled substance.'' *Id.* § 802(10). Thus, except for in limited circumstances, a practitioner is not authorized to distribute controlled substances.[4]

[2] *See also* GX 5, at 4 (Registrant's letter of Nov. 20, 2013 to DI) (''He [Wilkinson] told me, at the time that we made the agreement, that he had decided to 'give up' his DEA license because of the 'haggle' over it at his Puyallup practice.'').

[3] ''In short, this is not a contest in which score is kept; the Agency is not required to mechanically count up the factors and determine how many favor the Government and how many favor the registrant. Rather, it is an inquiry which focuses on protecting the public interest; what matters is the seriousness of the registrant's misconduct.'' *Jayam Krishna-Iyer,* 74 FR 459, 462 (2009). Accordingly, as the Tenth Circuit has recognized, findings under a single factor can support the revocation of a registration. *MacKay,* 664 F.3d at 821.

[4] One such exception is found at 21 CFR 1307.11(a). It provides that:

(a) A practitioner who is registered to dispense a controlled substance may (without being registered to distribute) a quantity of such substance to—

(1) Another practitioner for the purpose of general dispensing by the practitioner to patients provided that—

(i) The practitioner to whom the controlled substance is to be distributed is registered under the Act to dispense that controlled substance;

(ii) The distribution is recorded by the distributing practitioner in accordance with § 1304.22(c) of this chapter and by the receiving practitioner in accordance with § 1304.22(c) of this chapter;

Here, the evidence shows that while Registrant did not physically possess the controlled substances, he nonetheless unlawfully distributed them to Dr. Wilkinson. Under the CSA, Wilkinson could not have lawfully obtained the controlled substances because he was not registered. Indeed, the whole purpose of the agreement between Wilkinson and Registrant was—in Registrant's own words—to ''share'' his DEA registration, so that Wilkinson could obtain possession of controlled substances. With Registrant's knowledge and consent, the controlled substances were ordered under Registrant's registration and were then delivered to Wilkinson. This constitutes a distribution under the CSA. *See* 21 U.S.C. § 802(11) (''The term 'distribute' means to deliver (other than by administering or dispensing) a controlled substance . . .''); *id.* § 802(8) (''The terms 'deliver' or 'deliver' mean the actual, constructive, or attempted transfer of a controlled substances . . . whether or not there exists an agency relationship.'').

While Registrant asserted that he was unaware that Wilkinson had surrendered his DEA registration years earlier, he obviously knew that Wilkinson was unregistered as there would have been no reason for Registrant to ''share'' his DEA license if Wilkinson was registered. Moreover, he also knew that Wilkinson was taking the controlled substances from his practice, which was his registered location, to other dental offices. Accordingly, I find that Registrant violated the CSA when he distributed the controlled substances to Wilkinson. *See* 21 U.S.C. § 841(a)(1). However, while this is technically diversion because Dr. Wilkinson was unregistered and thus outside the closed system of distribution established by the CSA, there is no evidence that any of the drugs were administered to patients other than in the course of providing legitimate dental treatment.

The evidence also shows that Registrant failed to comply with various recordkeeping requirements. Under 21 U.S.C. § 827(a)(1), ''every registrant . . . shall . . . as soon . . . as such registrant first engaged in the manufacture, distribution, or dispensing of controlled substances, and every second year thereafter, make a complete and accurate record of all stocks thereof on hand.'' Even if Registrant or his Secretary (who apparently prepared the order forms) never physically possessed the drugs, upon the use of his registration for the purpose of enabling Wilkinson to obtain controlled substances, he engaged in the distribution of controlled substances and under DEA regulations, he was still required to prepare an initial inventory. *See* 21 CFR 1304.11(b) (''In the event a person commences business with no controlled substances on hand, he/she shall record this fact as the initial inventory.''). The evidence showed, however, that Registrant had no inventories.

Also, pursuant to 21 U.S.C. § 827(a)(3), ''every registrant . . . manufacturing, distributing, or dispensing a controlled substance or substances shall maintain, on a current basis, a complete and accurate record of each such substances manufactured, received, sold, delivered, or otherwise disposed of by him.'' *See also* 21 CFR 1304.21(a). Thus, Registrant was required to keep records of the purchases he authorized and his subsequent distributions to Wilkinson.

While Registrant had some DEA Form-222s for the fentanyl purchases, the forms were not completed to show the actual quantities received and the dates of receipt. *See* 21 CFR 1305.13(e). Nor could he produce any invoices or other records documenting the purchases for the other controlled substances that were ordered. Likewise, he had no records documenting the subsequent distributions of the controlled substances to Wilkinson. Registrant thus violated the CSA by failing to maintain required records.[5] 21 U.S.C. §§ 827(a)(3) & 842(a)(5); 21 CFR 1304.21(a); 21 CFR 1304.22(b).

Accordingly, I find that Registrant ''has committed such acts as would render his registration . . . inconsistent with the public interest.'' 21 U.S.C. § 824(a)(4).[6] While I have carefully considered Registrant's statements in his letters, I find that Registrant has not acknowledged that he violated federal law by both: (1) Distributing controlled substances to an unregistered person, and (2) failing to maintain CSA-required records.[7] Moreover, Respondent clearly knew that his activities were illegal as there would be no reason to ''share'' his DEA license if Wilkinson was himself registered; indeed, he even knew that Wilkinson had given up ''his DEA license because of the 'haggle' over it at [Wilkinson's] Puyallup practice.'' GX 5, at 4. Registrant also knew that Wilkinson intended to take the controlled substance to other dental offices.

In determining the appropriate sanction, the Agency also considers the egregiousness of the proven misconduct and the need to deter similar misconduct on the part of other registrants. In mitigation of the violations, it is noted that there is no evidence that Wilkinson was personally abusing the drugs or that he dispensed any of the drugs outside of the course of providing legitimate dental treatment. Moreover, the Government produced no evidence that Registrant has engaged in any other misconduct related to controlled substances during the course of his professional career, which has spanned more than fifty years.

On the other hand, Registrant's statements suggest that he does not accept responsibility for his misconduct. Moreover, the Agency has

(iii) If the substance is listed in Schedule I or II, an order form is used as required in part 1305 of this chapter . . . .

21 CFR 1307.11(a).

Respondent did not, however, raise this provision as an affirmative defense, *see* 21 U.S.C. § 885(a)(1), and because Wilkinson was not registered, could not have successfully raised it.

[5] Notwithstanding that the Order to Show Cause alleged that DEA's audit found that Registrant had various overages, GX 1, at 4, in its discussion of the public interest factors, the Government made no reference to the audit results. Accordingly, I do not consider this evidence.

[6] Because Registrant had already distributed the controlled substances to Wilkinson and there is no evidence that Wilkinson acted as Registrant's agent when he performed sedation (other than with the possible exception of when he sedated J.F.), I place no weight on the inadequacies identified by the DI regarding the dispensing log maintained by Dr. Wilkinson. So too, because the controlled substances had been distributed to Wilkinson, I place no weight on the evidence that they were not ''stored in a securely locked, substantially constructed cabinet.'' 21 CRF 1301.75

With respect to factor five, the Government argues that Registrant lacked candor because he made false statements to both Washington DOH as well as DEA Investigators. As for his alleged false statements to the DOH Investigators, I conclude that the State of Washington is the best forum to adjudicate these allegations. As for his alleged false statement to DEA, in its discussion of factor five, the Government simply lumps all of Registrant's putatively false statements together without identifying which of the statements were made to DEA Investigators. While there is evidence that Registrant told DEA Investigators that Dr. Wilkinson did not perform conscious sedation on any of his patients even though Wilkinson had done so on J.F., the Government has provided no explanation as to why Registrant's false statement was material to its investigation. Accordingly, I place no weight on Registrant's false statement to Agency Investigators.

[7] In his May 21, 2013 letter to the DOH Investigator, Respondent stated that ''Dr Wilkinson was responsible for maintaining the required paperwork for using these drugs including receipts, dispensing, and an inventory of what amount of the drug remained in his possession.'' GX 15, at 7. While this may have been his arrangement with Wilkinson, as explained above, because Registrant engaged in the acquisition and distribution of controlled substances he was also required to maintain records.

Moreover, on the issue of whether he allowed controlled substances to be taken from his registered location, Registrant wrote: ''Dr. Wilkinson was given the drugs he ordered. What he did with them after that was done without my knowledge or consent.'' GX 18, at 8. Registrant did, however, know that Wilkinson intended to and did take the controlled substances out of his office.

a strong interest in deterring similar acts on the part of other registrants. Accordingly, while I reject the Government's contention that Registrant's registration should be revoked, I will order that his registration be suspended outright for a period of one year.[8]

I further order that Registrant's registration shall be restricted to allow him only to prescribe controlled substances until such time as he completes a course in controlled substance recordkeeping. During this period, Registrant shall be prohibited from possessing any controlled substances (including those provided as samples by pharmaceutical manufacturers and distributors) other than those that are prescribed to him to treat a legitimate medical condition. Upon the completion of such course, Respondent shall provide a copy of his certificate of completion to the local DEA field office to have said restriction removed.

Order

Pursuant to the authority vested in me by 21 U.S.C. §§ 823(f) and 824(a)(4), as well as 28 CFR 0.100(b) and 0.104, I order that the DEA Certificate of Registration issued to Roy S. Schwartz, D.D.S., be, and it hereby is, suspended for a period of one year. The suspension of Dr. Schwartz's registration shall be effective July 16, 2014. I further order that Dr. Schwartz's registration shall be restricted as set forth above; said restrictions shall be, and hereby are, effective immediately.[9]

Dated: June 9, 2014.

Thomas M. Harrigan,

Deputy Administrator.

[FR Doc. 2014–14006 Filed 6–13–14; 8:45 am]

BILLING CODE 4410–09–P

[8] This Order does not preclude the Government from seeking revocation of Registrant's registration in the event the State of Washington suspends or revokes Registrant's dental license.

[9] In the event Registrant is in possession of any controlled substances other than those which have been lawfully prescribed to him, he shall contact the DEA field office for instructions on how to dispose of them. Registrant shall have ten (10) business days to dispose of any such controlled substances.

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Request for Examination and/or Treatment

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Office of Workers' Compensation Programs (OWCP) sponsored information collection request (ICR) titled, ''Request for Examination and/or Treatment,'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 et seq. Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before July 16, 2014.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201403-1240-001* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov*.

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–OWCP, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–6881 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov*. Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov*.

FOR FURTHER INFORMATION CONTACT: Contact Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov*.

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Request for Examination and/or Treatment information collection. An employer uses the Request for Examination and/or Treatment, Form LS–1, to authorize medical treatment for an injured worker. A physician uses the form to report findings of physical examinations and any recommended treatment. The Longshore Harbor Workers' Compensation Act authorizes this information collection. *See* 33 U.S.C. 907.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1240–0029.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on June 30, 2014. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 4, 2014 (79 FR 12224).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1240–0029. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated,

electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL–OWCP.

Title of Collection: Request for Examination and/or Treatment.

OMB Control Number: 1240–0029.

Affected Public: Individuals or Households and Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 64,000.

Total Estimated Number of Responses: 96,000.

Total Estimated Annual Time Burden: 52,000 hours.

Total Estimated Annual Other Costs Burden: $2,088,960.

Dated: June 10, 2014.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2014–13986 Filed 6–13–14; 8:45 am]

BILLING CODE 4510–CF–P

MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

Meeting of the Military Compensation and Retirement Modernization Commission

AGENCY: Military Compensation and Retirement Modernization Commission.

ACTION: Notice of public meetings and town hall meeting.

SUMMARY: The Military Compensation and Retirement Modernization Commission (Commission) was established by the National Defense Authorization Act for FY 2013. Pursuant to the Act, the Commission is holding public hearings and a town hall to solicit comments from the general public and select experts on the modernization of the military compensation and retirement systems.

DATES: The hearings and town hall will be held Wednesday, June 25, 2014.

ADDRESSES: The hearings and town hall will be held at the Embassy Suites Fayetteville Fort Bragg, 4760 Lake Valley Drive, Fayetteville, North Carolina 28303.

FOR FURTHER INFORMATION CONTACT: Christopher Nuneviller, Associate Director, Military Compensation and Retirement Modernization Commission, PO Box 13170, Arlington VA 22209, telephone 703–692–2080, fax 703–697–8330, email *christopher.nuneviller@mcrmc.gov.*

SUPPLEMENTARY INFORMATION: The Military Compensation and Retirement Modernization Commission (Commission) was established by the National Defense Authorization Act for FY 2013, Public Law 112–239, 671–680, (amended by National Defense Authorization Act for FY 2014, Pub. L. 113–66, 1095(b)). The Commission will conduct public hearings and town halls across the United States and on select military installations internationally in order to solicit comments on the modernization of the military compensation and retirement systems. The Commission seeks the views of Service members, veterans, retirees, their beneficiaries and other interested parties regarding pay, retirement, health benefits and quality of life programs of the Uniformed Services. The Commission will hear from senior commanders of local military commands and their senior enlisted advisors, unit commanders and their family support groups, local medical and education community representatives, and other quality of life organizations. These meetings sites will be accessible to members of the general public including individuals with disabilities.

On June 25, 2014, the Commission will hold public hearings from 10:00 a.m. until 5:00 p.m., and a public town hall meeting from 7:00 p.m. until 9:00 p.m.

June 25, 2014 Agenda

10 a.m. to 12 p.m. Senior Local Military Commanders and Senior Enlisted Advisors

1:30 p.m. to 3 p.m. TBD (Local Military/Veteran Transition Service Organizations)

3:15 p.m. to 5 p.m. Department of Defense and Local Schools

7 p.m. to 9 p.m. Town Hall

The Panel Testimony heard on Wednesday, June 25, 2014 will consist of: a. Brief opening remarks by the Chairman and one or more of the Commissioners, b. brief opening remarks by each panelist, and c. questions posed by the Chairman and Commissioners to the panelists.

On the evening of Wednesday, June 25, 2014, the Chairman and Commissioners will hear from the public. Attendees will be given an opportunity to address the Chairman and Commissioners and relay to them their experience and comments.

Due to the deliberative, nascent and formative nature of the Commission's work, the Commissioners are unable to discuss their thoughts, plans or intentions for specific recommendations that will ultimately be made to the President and Congress.

The public hearings will be transcribed and the transcripts placed on the Commission's Web site. In addition to public hearings, and due to the essential need for input from the beneficiaries, the Commission is accepting and strongly encourages comments and other submissions through its Web site (*www.mcrmc.gov*).

Christopher Nuneviller,

Associate Director, Administration and Operations.

[FR Doc. 2014–13957 Filed 6–13–14; 8:45 am]

BILLING CODE P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

NOTICE: (14–049)

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. 2014–13720 Filed 6–13–14; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act: Notice of Agency Meeting

TIME AND DATE: 10:00 a.m., Thursday, June 19, 2014.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street (All visitors must use Diagonal Road Entrance), Alexandria, VA 22314–3428.

STATUS: Open

MATTERS TO BE CONSIDERED:

1. NCUA's Rules and Regulations, Voluntary Liquidations.
2. NCUA's Rules and Regulations, Asset Securitization.
3. NCUA's Rules and Regulations, Safe Harbor.
4. NCUA's Rules and Regulations, Appraisals.
5. Request to Convert Charter, Mainstreet Credit Union (Lenexa, Kansas).

RECESS: 11:15 a.m.

TIME AND DATE: 11:30 a.m., Thursday, June 19, 2014.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314–3428.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Consideration of Supervisory Activities. Closed pursuant to Exemptions (8), (9)(i)(B) and (9)(ii).
2. Proposed Merger under NCUA's Rules and Regulations. Closed pursuant to Exemption (8).

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2014–14094 Filed 6–12–14; 11:15 am]

BILLING CODE 7535–01–P

OFFICE OF NATIONAL DRUG CONTROL POLICY

Summit on Heroin and Prescription Drugs: Federal, State, and Community Responses

AGENCY: Office of National Drug Control Policy.

ACTION: Notice.

SUMMARY: The Office of National Drug Control Policy (ONDCP) will host a ''Summit on Heroin and Prescription Drugs: Federal, State, and Community Responses'' highlighting the public health and safety issues surrounding prescription painkillers and heroin. The conference will be held from 9 a.m. to 12:30 p.m. on Thursday, June 19, 2014 in the South Court Auditorium of the Eisenhower Executive Office Building, 17th Street and Pennsylvania Avenue NW., Washington, DC 20500. While the summit is not open to the general public, it will be streamed live on-line for the general public to view on *www.WhiteHouse.gov/Live.*

The goal of the summit is to discuss trends and challenges in the epidemic of opioid abuse in the United States, identify innovative practices and models, and discuss how practitioners at every level can help reduce overdose deaths and public health consequences. Participants will include Attorney General Eric Holder, Vermont Governor Peter Shumlin, National Institute on Drug Abuse Director Dr. Nora Volkow, and experts from across the country on education, treatment, and overdose and infectious disease prevention. Summit participants will not be deliberating or providing consensus advice or recommendations to ONDCP. Issues explored will include expanding drug treatment access to millions through the Affordable Care Act, encouraging people and medical professionals to learn the signs and symptoms of problematic drug use and to intervene before substance use becomes a chronic condition, and supporting the use of naloxone, an overdose reversal drug that's easy to administer and has already saved thousands of lives.

Dated: June 6, 2014.

Michael J. Passante,

Deputy General Counsel.

[FR Doc. 2014–13912 Filed 6–13–14; 8:45 am]

BILLING CODE P

NUCLEAR REGULATORY COMMISSION

[NRC–2014–0139]

Draft Emergency Preparedness Frequently Asked Question

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on emergency preparedness frequently asked question (EPFAQ) No. 2014–008. This EPFAQ will be used to provide clarification of guidance documents related to the development and maintenance of EP program elements. The NRC is publishing these preliminary results to inform the public and solicit comments.

DATES: Submit comments by July 16, 2014. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

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

• *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0139. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: 3WFN–06–A44M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on accessing information and submitting comments, see ''Accessing Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Carolyn Kahler, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–287–3722, email: *Carolyn.Kahler@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC–2014–0139 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

• *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0139.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The draft EPFAQ is available electronically under ADAMS Accession No. ML14156A316, and is available on the NRC's Web site at *http://www.nrc.gov/about-nrc/emerg-preparedness/faq/faq-contactus.html.*

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2014–0139 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at *http://www.regulations.gov* as well as entering the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Background

The NRC is requesting comment on this draft EPFAQ. This process is intended to describe the manner in which the NRC may provide interested outside parties an opportunity to share their individual views with NRC staff regarding the appropriate response to questions raised on the interpretation or applicability of EP guidance issued or endorsed by the NRC, before the NRC issues an official response to such questions.

Dated at Rockville, Maryland on June 9, 2014.

For the Nuclear Regulatory Commission.

Pamela Baker,

Acting Deputy Director, Division of Preparedness and Response, Office of Nuclear Security and Incident Response.

[FR Doc. 2014–14011 Filed 6–13–14; 8:45 am]

BILLING CODE 7590–01–P

PEACE CORPS

Information Collection Request; Submission for OMB Review

AGENCY: Peace Corps.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

DATES: Submit comments on or before August 15, 2014.

ADDRESSES: Comments should be addressed to Denora Miller, FOIA/Privacy Act Officer. Denora Miller can be contacted by telephone at 202–692–1236 or email at *pcfr@peacecorps.gov.* Email comments must be made in text and not in attachments.

FOR FURTHER INFORMATION CONTACT: Denora Miller at Peace Corps address above.

SUPPLEMENTARY INFORMATION: Peace Corps' Office of Volunteer Recruitment and Selection will use the information as an integral part of the selection process to learn whether an applicant possesses the necessary characteristics and skills to serve as a Volunteer.

OMB Control Number: 0420–XXXX.

Title: Interview Rating Tool—Questions.

Type of Review: New.

Affected Public: Individuals.

Respondents' Obligation to Reply: Voluntary.

Burden to the Public:

a. Number of Applicants: 20,000.

b. Estimated number of applicants who interview: 4500.

d. Frequency of response: One time.

e. Completion time: 90 minutes.

f. Annual burden hours: 6750 hours.

General Description of Collection: Peace Corps will use this information in order to learn whether an applicant possesses the necessary characteristics and skills to serve as a Volunteer. If Peace Corps were unable to gather responses to the interview questions and record the information requested on this form, the agency would run the risk of sending poorly qualified or unqualified representatives into foreign countries. The communities where Peace Corps assigns Volunteers often observe closely the actions and behaviors of Volunteers, who are representatives of the United States.

Request For Comment: Peace Corps invites comments on whether the proposed collection of information is necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice issued in Washington, DC on June 10, 2014.

Denora Miller,

FOIA Officer, Management.

[FR Doc. 2014–13966 Filed 6–13–14; 8:45 am]

BILLING CODE 6051–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold a Closed Meeting on Thursday, June 19, 2014 at 2:00 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matter at the Closed Meeting.

Commissioner Stein, as duty officer, voted to consider the items listed for the Closed Meeting in closed session.

The subject matter of the Closed Meeting will be:

Institution and settlement of injunctive actions;

institution and settlement of administrative proceedings;

an adjudicatory matter; and

other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact the Office of the Secretary at (202) 551–5400.

Dated: June 12, 2014.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2014–14121 Filed 6–12–14; 4:15 pm]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72355; File No. SR–MIAX–2014–25]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule

June 10, 2014.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 27, 2014, Miami International Securities Exchange LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend its Fee Schedule.

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/filter/wotitle/rule_filing,* at MIAX's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its current Priority Customer Rebate Program (the ''Program'') to modify the volume thresholds of tiers 3, 4, and 5.[3] The Program is based on the substantially similar fees of another competing options exchange.[4] Under the Program, the Exchange shall credit each Member the per contract amount set forth in the table below resulting from each Priority Customer [5] order transmitted by that Member which is executed on the Exchange in all multiply-listed option classes (excluding mini-options and executions related to contracts that are routed to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 1400), provided the Member meets certain volume thresholds in a month as described below. For each Priority Customer order transmitted by that Member which is executed electronically on the Exchange in MIAX Select Symbols, MIAX shall credit each member at the separate per contract rate for MIAX Select Symbols.[6] The volume thresholds are calculated based on the customer average daily volume over the course of the month. Volume will be recorded for and credits will be delivered to the Member Firm that submits the order to the Exchange.

[3] *See* Securities Exchange Act Release Nos. 71698 (March 12, 2014), 79 FR 15185 (March 18, 2014) (SR–MIAX–2014–12); 71283 (January 10, 2014), 79 FR 2914 (January 16, 2014) (SR–MIAX–2013–63); 71009 (December 6, 2013), 78 FR 75629 (December 12, 2013) (SR–MIAX–2013–56).

[4] *See* Chicago Board Options Exchange, Incorporated (''CBOE'') Fees Schedule, p. 4. *See also* Securities Exchange Act Release Nos. 66054 (December 23, 2011), 76 FR 82332 (December 30, 2011) (SR–CBOE–2011–120); 68887 (February 8, 2013), 78 FR 10647 (February 14, 2013) (SR–CBOE–2013–017).

[5] The term ''Priority Customer'' means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial accounts(s). *See* MIAX Rule 100.

[6] *See* Securities Exchange Release Nos. 71700 (March 12, 2014), 79 FR 15188 (March 18, 2014) (SR–MIAX–2014–13); (SR–MIAX–2014–26). The Exchange will credit each Member $0.20 per contract resulting from each Priority Customer order transmitted by that Member executed on Exchange in MIAX Select Symbols. The $0.20 per contract credit is in lieu of the applicable credit that would otherwise apply to the transaction based on the volume thresholds.

Percentage thresholds of national customer volume in multiply-listed options classes listed on MIAX (monthly)	Per contract credit
0.00%–0.25%	$0.00
Above 0.25%–0.35%	0.10
Above 0.35%–1.25%	0.15
Above 1.25%–2.00%	0.17
Above 2.00%	0.18

The Exchange will aggregate the contracts resulting from Priority Customer orders transmitted and executed electronically on the Exchange from affiliated Members for purposes of the thresholds above, provided there is at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A. In the event of a MIAX System outage or other interruption of electronic trading on MIAX, the Exchange will adjust the national customer volume in multiply-listed options for the duration of the outage. A Member may request to receive its credit under the Priority Customer Rebate Program as a separate direct payment.

In addition, the rebate payments will be calculated from the first executed contract at the applicable threshold per contract credit with the rebate payments made at the highest achieved volume tier for each contract traded in that month. For example, if Member Firm XYZ, Inc. (''XYZ'') has enough Priority Customer contracts to achieve 2.5% of the national customer volume in multiply-listed option contracts during the month of October, XYZ will receive a credit of $0.18 for each Priority Customer contract executed in the month of October.

The purpose of the Program is to encourage Members to direct greater Priority Customer trade volume to the Exchange. Increased Priority Customer volume will provide for greater liquidity, which benefits all market participants. The practice of incentivizing increased retail customer order flow in order to attract professional liquidity providers (Market-Makers) is, and has been, commonly practiced in the options markets. As such, marketing fee programs,[7] and customer posting incentive programs,[8] are based on attracting public customer order flow. The Program similarly intends to attract Priority Customer order flow, which will increase liquidity, thereby providing greater trading opportunities and tighter spreads for other market participants and causing a corresponding increase in order flow from such other market participants.

The specific volume thresholds of the Program's tiers were set based upon business determinations and an analysis of current volume levels. The volume thresholds are intended to incentivize firms that route some Priority Customer orders to the Exchange to increase the number of orders that are sent to the Exchange to achieve the next threshold and to incent new participants to send Priority Customer orders as well. Increasing the number of orders sent to the Exchange will in turn provide tighter and more liquid markets, and therefore attract more business overall. Similarly, the different credit rates at the different tier levels were based on an analysis of revenue and volume levels and are intended to provide increasing ''rewards'' for increasing the volume of trades sent to the Exchange. The specific amounts of the tiers and rates were set in order to encourage suppliers of Priority Customer order flow to reach for higher tiers.

The Exchange limits the Program to multiply-listed options classes on MIAX because MIAX does not compete with other exchanges for order flow in the proprietary, singly-listed products.[9] In addition, the Exchange does not trade any singly-listed products at this time, but may develop such products in the future. If at such time the Exchange develops proprietary products, the Exchange anticipates having to devote a lot of resources to develop them, and therefore would need to retain funds collected in order to recoup those expenditures.

The Exchange excludes mini-options and executions related to contracts that are routed to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Exchange Rule 1400 from the Program. The Exchange notes these exclusions are nearly identical to the ones made by CBOE.[10] Mini-options contracts are excluded from the Program because the cost to the Exchange to process quotes, orders and trades in mini-options is the same as for standard options. This, coupled with the lower per-contract transaction fees charged to other market participants, makes it impractical to offer Members a credit for Priority Customer mini-option volume that they transact. Providing rebates to Priority Customer executions that occur on other trading venues would be inconsistent with the proposal. Therefore, routed away volume is excluded from the Program in order to promote the underlying goal of the proposal, which is to increase liquidity and execution volume on the Exchange.

The credits paid out as part of the program will be drawn from the general revenues of the Exchange.[11] The Exchange calculates volume thresholds on a monthly basis.

The proposed changes will become operative on June 2, 2014.

2. Statutory Basis

The Exchange believes that its proposal to amend its fee schedule is consistent with Section 6(b) of the Act [12] in general, and furthers the objectives of Section 6(b)(4) of the Act [13] in particular, in that it is an equitable allocation of reasonable fees and other charges among Exchange members.

The Exchange believes that the proposed Priority Customer Rebate Program is fair, equitable and not unreasonably discriminatory. The Program is reasonably designed because it will incent providers of Priority Customer order flow to send that Priority Customer order flow to the Exchange in order to receive a credit in a manner that enables the Exchange to improve its overall competitiveness and strengthen its market quality for all market participants. The proposed rebate program is fair and equitable and not unreasonably discriminatory because it will apply equally to all Priority Customer orders. All similarly situated Priority Customer orders are subject to the same rebate schedule, and access to the Exchange is offered on terms that are not unfairly discriminatory. In addition, the Program is equitable and not unfairly discriminatory because, while only Priority Customer order flow qualifies for the Program, an increase in Priority Customer order flow will bring greater volume and liquidity, which benefit all market participants by providing more trading opportunities and tighter spreads. Similarly, offering increasing credits for executing higher percentages of total national customer volume (increased credit rates at increased

[7] *See* MIAX Fee Schedule, Section 1(b).

[8] *See* NYSE Arca, Inc. Fees Schedule, page 4 (section titled ''Customer Monthly Posting Credit Tiers and Qualifications for Executions in Penny Pilot Issues'').

[9] If a multiply-listed options class is not listed on MIAX, then the trading volume in that options class will be omitted from the calculation of national customer volume in multiply-listed options classes.

[10] *See* CBOE Fee Schedule, page 4. CBOE also excludes QCC trades from their rebate program. CBOE excluded QCC trades because a bulk of those trades on CBOE are facilitation orders which are charged at the $0.00 fee rate on their exchange.

[11] Despite providing credits under the Program, the Exchange represents that it will continue to have adequate resources to fund its regulatory program and fulfill its responsibilities as a self-regulatory organization while the Program will be in effect.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(4).

volume tiers) is equitable and not unfairly discriminatory because such increased rates and tiers encourage Members to direct increased amounts of Priority Customer contracts to the Exchange. The resulting increased volume and liquidity will benefit those Members who receive the lower tier levels, or do not qualify for the Program at all, by providing more trading opportunities and tighter spreads.

Limiting the Program to multiply-listed options classes listed on MIAX is reasonable because those parties trading heavily in multiply-listed classes will now begin to receive a credit for such trading, and is equitable and not unfairly discriminatory because the Exchange does not trade any singly-listed products at this time. If at such time the Exchange develops proprietary products, the Exchange anticipates having to devote a lot of resources to develop them, and therefore would need to retain funds collected in order to recoup those expenditures.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed change would increase both intermarket and intramarket competition by incenting Members to direct their Priority Customer orders to the Exchange, which will enhance the quality of quoting and increase the volume of contracts traded here. To the extent that there is additional competitive burden on non-Priority Customers, the Exchange believes that this is appropriate because the rebate program should incent Members to direct additional order flow to the Exchange and thus provide additional liquidity that enhances the quality of its markets and increases the volume of contracts traded here. To the extent that this purpose is achieved, all the Exchange's market participants should benefit from the improved market liquidity. Enhanced market quality and increased transaction volume that results from the anticipated increase in order flow directed to the Exchange will benefit all market participants and improve competition on the Exchange. 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 adjust its fees to remain competitive with other exchanges and to attract order flow to the Exchange. The Exchange believes that the proposed rule change reflects this competitive environment because it reduces the Exchange's fees in a manner that encourages market participants to direct their customer order flow, to provide liquidity, and to attract additional transaction volume to the Exchange. Given the robust competition for volume among options markets, many of which offer the same products, implementing a volume based customer rebate program to attract order flow like the one being proposed in this filing is consistent with the above-mentioned goals of the Act. This is especially true for the smaller options markets, such as MIAX, which is competing for volume with much larger exchanges that dominate the options trading industry. As a new exchange, MIAX has a nominal percentage of the average daily trading volume in options, so it is unlikely that the customer rebate program could cause any competitive harm to the options market or to market participants. Rather, the customer rebate program is a modest attempt by a small options market to attract order volume away from larger competitors by adopting an innovative pricing strategy. The Exchange notes that if the rebate program resulted in a modest percentage increase in the average daily trading volume in options executing on MIAX, while such percentage would represent a large volume increase for MIAX, it would represent a minimal reduction in volume of its larger competitors in the industry. The Exchange believes that the proposal will help further competition, because market participants will have yet another additional option in determining where to execute orders and post liquidity if they factor the benefits of a customer rebate program into the determination.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[14] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

[14] 15 U.S.C. 78s(b)(3)(A)(ii).

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–MIAX–2014–25 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–MIAX–2014–25. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MIAX–

2014–25 and should be submitted on or before July 7, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13930 Filed 6–13–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72358; File No. SR–ICC–2014–09]

Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Update the ICC Risk Management Framework

June 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder[2] notice is hereby given that on May 30, 2014, ICE Clear Credit LLC (''ICC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared primarily by ICC. ICC filed the proposal pursuant to Section 19(b)(3)(A) of the Act,[3] and Rule 19b–4(f)(1)[4] thereunder, so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The purpose of this proposed rule change is to revise the ICC Risk Management Framework to clarify language related to ICC's forced allocation procedures. This revision does not require any changes to the ICC Rules.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received regarding the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. ICC has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of these statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The proposed revision to ICC's Risk Management Framework is intended to clarify language related to ICC's forced allocation procedures and to promote consistency between ICC's forced allocation procedures as set forth in the ICC Rules and the ICC Risk Management Framework.

ICC believes such revision will facilitate the prompt and accurate clearance and settlement of securities transactions and derivative agreements, contracts, and transactions for which it is responsible. The proposed revision is described in detail as follows.

Currently, the ICC Risk Management Framework states that, in the event of a forced allocation, positions will be allocated to Clearing Participants (''CPs'') based on each CP's overall risk profile. Under ICC Rule 20–605(c)(vii), ICC, in the event of a failed auction or other inability to close-out or transfer relevant positions, may allocate positions to Non-Defaulting CPs on a pro rata basis in proportion to the size of each CP's required contribution to the Guaranty Fund, as relative to the aggregate of all Non-Defaulting CPs' required contributions to the Guaranty Fund. ICC proposes revising the ICC Risk Management Framework to more closely reflect the forced allocation language in ICC Rule 20–605(c)(vii). Specifically, ICC proposes adding clarifying language which states that in the event of a forced allocation, positions will be allocated to each Non-Defaulting CP on a pro rata basis in proportion to the size of each CP's required contribution to the Guaranty Fund. ICC believes this update to the ICC Risk Management Framework alleviates potential confusion regarding the allocation process. This is a clarifying revision, and the changes to the ICC Risk Management Framework do not require any operational changes.

Section 17A(b)(3)(F) of the Act[5] requires, among other things, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions and to comply with the provisions of the Act and the rules and regulations thereunder. ICC believes that the proposed revision is consistent with the requirements of the Act and the rules and regulations thereunder applicable to ICC, in particular, to Section 17A(b)(3)(F)[6], because ICC believes that the proposed rule changes will facilitate the prompt and accurate settlement of swaps and contribute to the safeguarding of securities and funds associated with swap transactions which are in the custody or control of ICC or for which it is responsible. The revision to the ICC Risk Management Framework alleviates potential confusion regarding the allocation process. As such, the proposed rule changes will facilitate the prompt and accurate settlement of swaps and contribute to the safeguarding of customer funds and securities within the control of ICC within the meaning of Section 17A(b)(3)(F)[7] of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

ICC does not believe the proposed revision would have any impact, or impose any burden, on competition. The revision to ICC's Risk Management Framework regarding forced allocation procedures applies uniformly across all CPs. Therefore, ICC does not believe the proposed revision imposes any burden on competition that is inappropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization'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 been solicited or received. ICC will notify the Commission of any written comments received by ICC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective upon filing pursuant to Section 19(b)(3)(A)[8] of the Act and Rule 19b–4(f)(1)[9] thereunder because the update constitutes a stated policy, practice, or interpretation with respect to the meaning, administration, or enforcement of an existing rule. Specifically, ICC is updating language in the ICC Risk Management Framework to more closely reflect the forced allocation procedures set forth in ICC Rule 20–605(c)(vii). At any time within

[15] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(1).

[5] 15 U.S.C. 78q–1(b)(3)(F).

[6] Id.

[7] Id.

[8] 15 U.S.C. 78s(b)(3)(A).

[9] 17 CFR 240.19b–4(f)(1).

60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ICC–2014–09 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–ICC–2014–09. 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 filings will also be available for inspection and copying at the principal office of ICE Clear Credit and on ICE Clear Credit's Web site at *https://www.theice.com/notices/Notices.shtml?regulatoryFilings.*

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–ICC–2014–09 and should be submitted on or before July 7, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Kevin M. O'Neill,

Deputy Secretary .

[FR Doc. 2014–13933 Filed 6–13–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72362; File No. SR–NASDAQ–2014–060]

Self-Regulatory Organizations; the NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Joint Back Office Pricing

June 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 29, 2014, The NASDAQ Stock Market LLC (''NASDAQ'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by NASDAQ. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

NASDAQ proposes to amend Chapter XV (Options Pricing) on The NASDAQ Options Market (''NOM''), NASDAQ's facility for executing and routing standardized equity and index options to assess joint back office (''JBO'')[3] participants pricing the same as Broker-Dealers[4] and require JBO participants to utilize a new origin code to identify JBO orders.

The text of the proposed rule change is available on the Exchange's Web site at *http://www.nasdaq.cchwallstreet.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new origin code which will be used to indicate orders for a JBO account to be cleared into the Firm range at The Options Clearing Corporation (''OCC'') for purposes of pricing only. Further, the Exchange proposes to assess fees and pay rebates to JBO Orders the same as Broker-Dealers.

Currently, JBO orders clear in the Firm[5] range at OCC as do Firm orders. The Exchange is proposing to introduce an origin code for Participants to identify orders for a JBO account. The origin code will simplify the process of identifying JBO orders for purposes of pricing only. Participants would be required to mark their JBO orders in accordance with the technical specifications definitions which are provided by the Exchange. This rule change will not impact the manner in which JBO orders are treated for purposes of other Exchange Rules including but not limited to priority in the Exchange's System. With this proposal, JBO orders will continue to be cleared in the Firm range at OCC. Today, JBO orders are assessed transaction fees and paid rebates the same as Firms. The Exchange's current pricing does not differentiate Firms and Broker-Dealers. These market participants are assessed the same fees and paid the same rebates. There will be no impact as a result of this rule change as far as pricing because Firms and

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[10] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] A JBO participant is a Participant organization that maintains a JBO arrangement with a clearing broker-dealer (''JBO Broker'') subject to the requirements of Regulation T Section 220.7 of the Federal Reserve System. *See also* Exchange Rules at Chapter XIII, Section 5.

[4] The term ''Broker-Dealer'' applies to any transaction which is not subject to any of the other transaction fees applicable within a particular category.

[5] The term ''Firm'' applies to any transaction that is identified by a Participant for clearing in the Firm range at OCC.

Broker-Dealers are assessed the same fees and paid the same rebates.

The Exchange proposes to amend Chapter XV of the NOM Rules to define the term JBO in the preface as follows: ''The term ''Joint Back Office'' or ''JBO'' applies to any transaction that is identified by a Participant for clearing in the Firm range at OCC and is identified with an origin code as a JBO. A JBO will be priced the same as a Broker-Dealer as of September 1, 2014.'' Also, the Exchange describes a JBO participant as ''a Participant that maintains a JBO arrangement with a clearing broker-dealer (''JBO Broker'') subject to the requirements of Regulation T Section 220.7 of the Federal Reserve System as further discussed in Chapter XIII, Section 5.''

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act [6] in general, and furthers the objectives of Section 6(b)(5) of the Act [7] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Adding an origin code to JBO orders is a more efficient manner in which to identify those orders separate and apart from other orders entered on NOM. In addition, JBO orders will continue to clear in the Firm range at OCC as is the case today. The Exchange will more easily be able to discern the pricing associated with clearly identified JBO orders. This will eliminate any potential confusion, thereby removing a potential impediment to and perfecting the mechanism for a free and open market and a national market system, and, in general, protecting investors and the public interest. The Exchange believes that automating this process of manually identifying JBO Orders will promote just and equitable principles of trade by creating an identifiable method of distinguishing JBO orders entered into the Exchange's System. The Exchange believes that automating this process is a more efficient manner in which to identify and bill these types of orders.

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[8] in general, and with Section 6(b)(4) and 6(b)(5) of the Act,[9] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which the Exchange operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange believes that its proposal to assess pricing for JBO orders the same as for Broker-Dealers is reasonable because the Exchange believes that the business of a JBO is similar to that of an away market maker and other Broker-Dealers. A JBO participant maintains a JBO arrangement with a JBO Broker pursuant to Section 220.7 of Regulation T. Similarly, an away market maker is a member of another national securities exchange registered as a market maker in an options class(es). An away marker maker is considered to be a Broker-Dealer as the market maker is not subject to market making obligations on the Exchange similar to other NOM Market Makers. The Chicago Board Options Exchange, Incorporated (''CBOE'') assesses manual equity option JBO orders fees the same as broker-dealer and electronic equity option JBO orders fees the same as a Professional.[10]

The Exchange believes that it is reasonable to assess the same fees and pay the same rebates on JBO orders as are paid and assessed to a Broker-Dealer because the Exchange believes a JBO participant's business is similar to that of a Broker-Dealer and should therefore be priced the same. The Exchange believes that its proposal to assess JBO orders pricing the same as Broker-Dealers is equitable and not unfairly discriminatory because the Exchange will uniformly assess JBO orders the same fees and pay the same rebates as today are assessed and paid to a Broker-Dealer, which today are the same fees and rebates applicable to a Firm. There will be no impact as far as pricing with this proposal because Firms and Broker-Dealers are assessed the same fees and paid the same rebates.

B. Self-Regulatory Organization's Statement on Burden on Competition

NASDAQ does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange is assessing fees to all JBOs in a similar manner with this proposal. JBO participants would be assessed fees and paid rebates the same as Broker-Dealers. The Exchange believes that assessing JBO Orders the same as Broker-Dealers does not impose a burden on competition because a JBO participant's business is similar to that of a Broker-Dealer and should therefore be priced the same. Also, today, Firms and Broker-Dealer fees and rebates are the same.

Further, utilizing an origin code to identify JBO Orders does not impose an unfair burden on competition. The Exchange believes that automating the process of manually identifying JBO Orders by creating an identifiable method of distinguishing JBO orders entered into the Exchange's System would assist the Exchange in regulating its market. In addition, CBOE utilizes an origin code today to identify JBO Orders.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act [11] and subparagraph (f)(6) of Rule 19b–4 thereunder.[12]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved. The Exchange has provided the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing,

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78f.

[9] 15 U.S.C. 78f(b)(4) and (5).

[10] *See* CBOE's Fees Schedule.

[11] 15 U.S.C. 78s(b)(3)(a)(ii).

[12] 17 CFR 240.19b–4(f)(6).

including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2014–060 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–NASDAQ–2014–060. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml).*

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR–NASDAQ–2014–060 and should be submitted on or before July 7, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13936 Filed 6–13–14; 8:45 am]

BILLING CODE 8011–01–P

[13] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72361; File No. SR–BX–2014–029]

Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Joint Back Office Pricing

June 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 29, 2014, NASDAQ OMX BX, Inc. (''BX'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Chapter XV (Options Pricing) to assess joint back office (''JBO'')[3] participants pricing the same as Broker-Dealers[4] and require JBO participants to utilize a new origin code to identify JBO orders.

The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaqomxbx.cchwallstreet.com*, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new origin code which will be used to indicate orders for a JBO account to be cleared into the Firm range at The Options Clearing Corporation (''OCC'') for purposes of pricing only. Further, the Exchange proposes to assess fees and pay rebates to JBO Orders the same as Broker-Dealers.

Currently, JBO orders clear in the Firm[5] range at OCC as do Firm orders. The Exchange is proposing to introduce an origin code for Participants to identify orders for a JBO account. The origin code will simplify the process of identifying JBO orders for purposes of pricing only. Participants would be required to mark their JBO orders in accordance with the technical specifications definitions which are provided by the Exchange. This rule change will not impact the manner in which JBO orders are treated for purposes of other Exchange Rules including but not limited to priority in the Exchange's System. With this proposal, JBO orders will continue to be cleared in the Firm range at OCC. Today, JBO orders are assessed transaction fees and paid rebates the same as Firms. The Exchange's current pricing does not differentiate Firms and Broker-Dealers. These market participants are assessed the same fees and paid the same rebates. There will be no impact as a result of this rule change as far as pricing because Firms and Broker-Dealers are assessed the same fees and paid the same rebates.

The Exchange proposes to amend Chapter XV of the BX Rules to define the term JBO in the preface as follows: ''The term ''Joint Back Office'' or ''JBO'' applies to any transaction that is identified by a Participant for clearing in the Firm range at OCC and is identified with an origin code as a JBO. A JBO will be priced the same as a Broker-Dealer as of September 1, 2014.'' Also, the Exchange describes a JBO participant as ''a Participant that maintains a JBO arrangement with a clearing broker-dealer (''JBO Broker'') subject to the requirements of Regulation T Section 220.7 of the Federal Reserve System as further discussed in Chapter XIII, Section 5.''

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] A JBO participant is a Participant organization that maintains a JBO arrangement with a clearing broker-dealer (''JBO Broker'') subject to the requirements of Regulation T Section 220.7 of the Federal Reserve System. *See also* Exchange Rules at Chapter XIII, Section 5.

[4] The term ''Broker-Dealer'' applies to any transaction which is not subject to any of the other transaction fees applicable within a particular category.

[5] The term ''Firm'' applies to any transaction that is identified by a Participant for clearing in the Firm range at OCC.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act[6] in general, and furthers the objectives of Section 6(b)(5) of the Act[7] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Adding an origin code to JBO orders is a more efficient manner in which to identify those orders separate and apart from other orders entered on BX. In addition, JBO orders will continue to clear in the Firm range at OCC as is the case today. The Exchange will more easily be able to discern the pricing associated with clearly identified JBO orders. This will eliminate any potential confusion, thereby removing a potential impediment to and perfecting the mechanism for a free and open market and a national market system, and, in general, protecting investors and the public interest. The Exchange believes that automating this process of manually identifying JBO Orders will promote just and equitable principles of trade by creating an identifiable method of distinguishing JBO orders entered into the Exchange's System. The Exchange believes that automating this process is a more efficient manner in which to identify and bill these types of orders.

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[8] in general, and with Section 6(b)(4) and 6(b)(5) of the Act,[9] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which the Exchange operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange believes that its proposal to assess pricing for JBO orders the same as for Broker-Dealers is reasonable because the Exchange believes that the business of a JBO is similar to that of an away market maker and other Broker-Dealers. A JBO participant maintains a JBO arrangement with a JBO Broker pursuant to Section 220.7 of Regulation T. Similarly, an away market maker is a member of another national securities exchange registered as a market maker in an options class(es). An away marker maker is considered to be a Broker-Dealer as the market maker is not subject to market making obligations on the Exchange similar to other BX Market Makers. The Chicago Board Options Exchange, Incorporated (''CBOE'') assesses manual equity option JBO orders fees the same as broker-dealer and electronic equity option JBO orders fees the same as a Professional.[10]

The Exchange believes that it is reasonable to assess the same fees and pay the same rebates on JBO orders as are paid and assessed to a Broker-Dealer because the Exchange believes a JBO participant's business is similar to that of a Broker-Dealer and should therefore be priced the same. The Exchange believes that its proposal to assess JBO orders pricing the same as Broker-Dealers is equitable and not unfairly discriminatory because the Exchange will uniformly assess JBO orders the same fees and pay the same rebates as today are assessed and paid to a Broker-Dealer, which today are the same fees and rebates applicable to a Firm. There will be no impact as far as pricing with this proposal because Firms and Broker-Dealers are assessed the same fees and paid the same rebates.

B. Self-Regulatory Organization's Statement on Burden on Competition

BX does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange is assessing fees to all JBOs in a similar manner with this proposal. JBO participants would be assessed fees and paid rebates the same as Broker-Dealers. The Exchange believes that assessing JBO Orders the same as Broker-Dealers does not impose a burden on competition because a JBO participant's business is similar to that of a Broker-Dealer and should therefore be priced the same. Also, today, Firms and Broker-Dealer fees and rebates are the same.

Further, utilizing an origin code to identify JBO Orders does not impose an unfair burden on competition. The Exchange believes that automating the process of manually identifying JBO Orders by creating an identifiable method of distinguishing JBO orders entered into the Exchange's System would assist the Exchange in regulating its market. In addition, CBOE utilizes an origin code today to identify JBO Orders.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not significantly affect the protection of investors or the public interest; does not impose any significant burden on competition; and by its terms does not become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)[11] of the Act and Rule 19b–4(f)(6)(iii) thereunder.[12]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: necessary or appropriate in the public interest; for the protection of investors; or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–BX–2014–029 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–BX–2014–029. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's

[6] 15 U.S.C. 78f(b).
[7] 15 U.S.C. 78f(b)(5).
[8] 15 U.S.C. 78f.
[9] 15 U.S.C. 78f(b)(4) and (5).
[10] *See* CBOE's Fees Schedule.
[11] 15 U.S.C. 78s(b)(3)(A).
[12] 17 CFR 240.19b–4(f)(6)(iii).

Internet Web site (*http://www.sec.gov/rules/sro.shtml).*

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR–BX–2014–029 and should be submitted on or before July 7, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Kevin M O'Neill,

Deputy Secretary.

[FR Doc. 2014–13935 Filed 6–13–14; 8:45 am]

BILLING CODE 8011–01–P

[13] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72357; File No. SR–NASDAQ–2014–059]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of Proposed Rule Change Relating to the Listing and Trading of the Shares of the Global X Commodities ETF of Global X Funds

June 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 28, 2014, The NASDAQ Stock Market LLC (''Nasdaq'' or the ''Exchange'') 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 Nasdaq. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Nasdaq proposes to list and trade the shares of Global X Commodities Strategy ETF (the ''Fund'') of Global X Funds (the ''Trust'') under Nasdaq Rule 5735 (''Managed Fund Shares''). The shares of the Fund are collectively referred to herein as the ''Shares.''

The text of the proposed rule change is available at *http://nasdaq.cchwallstreet.com/,* at Nasdaq's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Nasdaq included statements concerning the purpose of, and basis for, the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Nasdaq has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to list and trade the Shares of the Fund under Nasdaq Rule 5735, which governs the listing and trading of Managed Fund Shares[3] on the Exchange.[4] The Fund will be an actively-managed exchange-traded fund (''ETF''). The Shares will be offered by the Trust, which was established as a Delaware statutory trust on March 6, 2008.[5] The Trust is registered with the Commission as an investment company and has filed a registration statement on Form N–1A (''Registration Statement'') with the Commission.[6] The Fund will be a series of the Trust. The Fund will invest in, among other things, exchange-traded futures contracts and exchange-traded commodity-linked instruments held indirectly through a wholly-owned subsidiary controlled by the Fund and organized under the laws of the Cayman Islands (referred to herein as the ''Subsidiary'').

Global X Management Company LLC will be the investment adviser (the ''Adviser'') and administrator to the Fund and will monitor the Fund's investment portfolio. The Fund and the Adviser will contract with an investment sub-adviser (the ''Sub-Adviser'') to provide day-to-day portfolio management for the Fund. SEI Investments Distribution Company (the ''Distributor'') will be the principal underwriter and distributor of the Fund's Shares. Brown Brothers Harriman (''Custodian'') will act as the custodian and transfer agent to the Fund.

Paragraph (g) of Rule 5735 provides that if the investment adviser to the investment company issuing Managed Fund Shares is affiliated with a broker-dealer, such investment adviser shall erect a ''fire wall'' between the investment adviser and the broker-dealer with respect to access to information concerning the composition and/or changes to such investment company portfolio.[7] In addition,

[3] A Managed Fund Share is a security that represents an interest in an investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a–1) (the ''1940 Act'') organized as an open-end investment company or similar entity that invests in a portfolio of securities selected by its investment adviser consistent with its investment objectives and policies. In contrast, an open-end investment company that issues Index Fund Shares, listed and traded on the Exchange under Nasdaq Rule 5705, seeks to provide investment results that correspond generally to the price and yield performance of a specific foreign or domestic stock index, fixed income securities index or combination thereof.

[4] The Commission approved Nasdaq Rule 5735 in Securities Exchange Act Release No. 57962 (June 13, 2008), 73 FR 35175 (June 20, 2008) (SR–NASDAQ–2008–039). The Fund would not be the first actively-managed fund listed on the Exchange; *see* Securities Exchange Act Release No. 66489 (February 29, 2012), 77 FR 13379 (March 6, 2012) (SR–NASDAQ–2012–004) (order approving listing and trading of WisdomTree Emerging Markets Corporate Bond Fund). The Exchange believes the proposed rule change raises no significant issues not previously addressed in those prior Commission orders.

[5] The Trust will obtain from the Commission an order granting certain exemptive relief to the Trust under the 1940 Act (File No. 812–14241). In compliance with Nasdaq Rule 5735(b)(5), which applies to Managed Fund Shares based on an international or global portfolio, the Trust's application for exemptive relief under the 1940 Act states that the Fund will comply with the federal securities laws in accepting securities for deposits and satisfying redemptions with redemption securities, including that the securities accepted for deposits and the securities used to satisfy redemption requests are sold in transactions that would be exempt from registration under the Securities Act of 1933 (15 U.S.C. 77a).

[6] *See* Registration Statement on Form N–1A for the Trust dated May 23, 2014 (File No. 811–22209). The descriptions of the Fund and the Shares contained herein are based, in part, on information in the Registration Statement.

[7] An investment adviser to an open-end fund is required to be registered under the Investment Advisers Act of 1940 (the ''Advisers Act''). As a result, the Adviser and the Sub-Adviser and their related personnel are subject to the provisions of Rule 204A–1 under the Advisers Act relating to codes of ethics. This Rule requires investment advisers to adopt a code of ethics that reflects the

paragraph (g) further requires that personnel who make decisions on the open-end fund's portfolio composition must be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding the open-end fund's portfolio. Rule 5735(g) is similar to Nasdaq Rule 5705(b)(5)(A)(i); however, paragraph (g) in connection with the establishment of a ''fire wall'' between the investment adviser and the broker-dealer reflects the applicable open-end fund's portfolio, not an underlying benchmark index, as is the case with index-based funds. The Adviser is not registered as a broker-dealer and is not affiliated with a broker-dealer. In the event (a) the Adviser registers as a broker-dealer or becomes newly affiliated with a broker-dealer; or (b) the Sub-Adviser, any new adviser or new sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel and/or such broker-dealer affiliate, as applicable, regarding access to information concerning the composition and/or changes to the portfolio and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio.

Global X Commodities Strategy ETF

The Fund's investment objective will be to provide total return which exceeds that of the Credit Suisse Composite Commodities Index (the ''Benchmark''),[8] consistent with prudent investment management. The Fund will pursue its objective by seeking to invest in commodity-linked futures in similar weightings to the Benchmark and other commodity-linked instruments, backed by an actively-managed, low volatility portfolio of fixed income instruments. The Fund will gain access to futures through the Subsidiary. The Fund will not be an ''index tracking'' ETF and will not be required to invest in all of the components of the Benchmark. However, through the Subsidiary, the Fund will generally seek to hold similar instruments to those included in the Benchmark and seek exposure to commodities included in the Benchmark. There can be no assurance that the Fund's performance will exceed the performance of the Benchmark at any time.

The Fund will not be sponsored, endorsed, sold or promoted by CS. CS's only relationship to the Fund will be the licensing of certain service marks and service names of CS and of the Benchmark, which will be determined, composed and calculated by CS without regard to the Adviser, the Sub-Adviser or the Fund. CS will have no obligation to take the needs of the Adviser, the Sub-Adviser or the Fund into consideration in determining, composing or calculating the Benchmark. The Benchmark is a monthly rebalancing, long-only commodity index composed of notional futures contracts on physical commodities. More specifically, the Benchmark is a fully collateralized futures index that offers multi-sector exposure to energy, industrial metals, precious metals, and agricultural commodities. Further, it is a total return index that measures the hypothetical returns on an uncollateralized investment in certain futures contracts, plus the interest that could be earned on the funds committed to a collateralized investment in such contracts.

The Fund intends to qualify for and to elect to be treated as a separate regulated investment company under Subchapter M of the Internal Revenue Code.[9] As a whole, the Fund's investments will seek to exceed the investment returns of the Benchmark within the limitations of the federal tax requirements applicable to regulated investment companies.

Principal Investments

Fund's Investments

The Fund will be an actively-managed ETF that will seek to achieve a total return which exceeds that of the Benchmark. Under normal market conditions,[10] the Fund, will invest in exchange-traded commodity futures contracts and exchange-traded commodity-linked instruments [11] (collectively, ''Commodities'') through the Subsidiary. The Fund's investment in the Subsidiary may not exceed 25% of the Fund's total assets. The remainder of the Fund's assets will be invested in: (1) Short-term investment grade fixed income securities that include U.S. government and agency securities,[12] corporate debt obligations and repurchase agreements; [13] (2) money market instruments; [14] (3) ETFs (other than those that are commodity-linked instruments) [15] and other investment

fiduciary nature of the relationship to clients as well as compliance with other applicable securities laws. Accordingly, procedures designed to prevent the communication and misuse of non-public information by an investment adviser must be consistent with Rule 204A–1 under the Advisers Act. In addition, Rule 206(4)–7 under the Advisers Act makes it unlawful for an investment adviser to provide investment advice to clients unless such investment adviser has (i) adopted and implemented written policies and procedures reasonably designed to prevent violation, by the investment adviser and its supervised persons, of the Advisers Act and the Commission rules adopted thereunder; (ii) implemented, at a minimum, an annual review regarding the adequacy of the policies and procedures established pursuant to subparagraph (i) above and the effectiveness of their implementation; and (iii) designated an individual (who is a supervised person) responsible for administering the policies and procedures adopted under subparagraph (i) above.

[8] The Benchmark is developed, maintained and sponsored by Credit Suisse International (''CS''). CS is not a U.S. registered broker-dealer, but CS is affiliated with a broker-dealer and, with respect to such broker-dealer affiliate, has implemented a fire wall and procedures designed to prevent the illicit use and dissemination of material, non-public information regarding the Benchmark.

[9] 26 U.S.C. 851.

[10] The term ''under normal market conditions'' includes, but is not limited to, the absence of extreme volatility or trading halts in the fixed income markets, futures markets or the financial markets generally; operational issues causing dissemination of inaccurate market information; or force majeure type events such as systems failure, natural or man-made disaster, act of God, armed conflict, act of terrorism, riot or labor disruption or any similar intervening circumstance.

[11] Exchange-traded commodity-linked instruments include: (1) ETFs that provide exposure to commodities as would be listed under Nasdaq Rules 5705 and 5735; and (2) pooled investment vehicles that invest primarily in commodities and commodity-linked instruments as would be listed under Nasdaq Rules 5710 and 5711(a)–(k). Such pooled investment vehicles are commonly referred to as ''exchange traded funds'' but they are not registered as investment companies because of the nature of their underlying investments.

[12] Such securities will include securities that are issued or guaranteed by the U.S. Treasury, by various agencies of the U.S. government, or by various instrumentalities, which have been established or sponsored by the U.S. government. U.S. Treasury obligations are backed by the ''full faith and credit'' of the U.S. government. Securities issued or guaranteed by federal agencies and U.S. government-sponsored instrumentalities may or may not be backed by the full faith and credit of the U.S. government.

[13] The Fund intends to enter into repurchase agreements only with financial institutions and dealers believed by the Adviser to present minimal credit risks in accordance with criteria approved by the Trust's Board of Trustees (the ''Board''). The Adviser will review and monitor the creditworthiness of such institutions. The Adviser will monitor the value of the collateral at the time the transaction is entered into and at all times during the term of the repurchase agreement.

[14] For the Fund's purposes, money market instruments will include: Short-term, high-quality securities issued or guaranteed by non-U.S. governments, agencies and instrumentalities; non-convertible corporate debt securities with remaining maturities of not more than 397 days that satisfy ratings requirements under Rule 2a–7 of the 1940 Act; money market mutual funds; and deposits and other obligations of U.S. and non-U.S. banks and financial institutions. In addition, the Fund may invest in commercial paper, which are short-term unsecured promissory notes. The Fund may additionally invest in commercial paper only if it has received the highest rating from at least one nationally recognized statistical rating organization or, if unrated, has been judged by the Adviser to be of comparable quality.

[15] An ETF is an investment company registered under the 1940 Act that holds a portfolio of securities. Many ETFs are designed to track the performance of a securities index, including industry, sector, country and region indexes. ETFs included in the Fund will be listed and traded in

Continued

companies registered under the 1940 Act, including exchange-traded closed-end funds, that provide exposure to commodities, equity securities and fixed income securities to the extent permitted under the 1940 Act and any applicable exemptive relief; (4) certain bank instruments; [16] and (5) cash and other cash equivalents. In addition, the Fund may enter into foreign currency transactions on a spot (*i.e.,* cash) basis.

The Fund will not invest directly in Commodities. The Fund expects to primarily gain exposure to these investments by investing in the Subsidiary.

The Fund will use the fixed income securities as investments and to collateralize the Subsidiary's commodity exposure on a day-to-day basis.

The Fund's investment in the Subsidiary will be designed to help the Fund achieve exposure to commodity returns in a manner consistent with the federal tax requirements applicable to the Fund and other regulated investment companies.

Subsidiary's Investments

The Subsidiary will generally seek to make investments in Commodities. In this regard, under normal market conditions, the Subsidiary is expected, as a general matter, to invest in futures contracts in proportional weights and allocations that are similar to the Benchmark, as well as in other exchange-traded commodity-linked instruments.

The Subsidiary will be advised by the Sub-Adviser.[17] The Fund's investment in the Subsidiary is intended to provide the Fund with exposure to commodity markets within the limits of current federal income tax laws applicable to investment companies such as the Fund, which limit the ability of investment companies to invest directly in the derivative instruments. The Subsidiary will have the same investment objective as the Fund, but unlike the Fund, it may invest without limitation in Commodities. The Subsidiary's investments will provide the Fund with exposure to domestic and international markets.

The Benchmark will include and the Subsidiary will have holdings in futures contracts that consist of only long positions in Commodities. The following table describes each of the commodities underlying the futures contracts included in the Benchmark as of May 23, 2014. The table also provides each instrument's trading hours, exchange and ticker symbol. The table is subject to change and the Subsidiary will not in all cases invest in the futures contracts included in the Benchmark.

Commodity	Exchange code	Exchange name [18]	Trading hours pit (E.T.)	Trading hours electronic (E.T.)	Contract symbol(s)
WTI Crude Oil	NYM	New York Mercantile Exchange.	09:00–14:30	18:00–17:15	CL
WTI Crude Oil	ICE	ICE Futures Europe		20:00–18:00	T
Brent Crude Oil	ICE	ICE Futures Europe		20:00–18:00	B
NY Harbor ULSD	NYM	New York Mercantile Exchange.	09:00–14:30	18:00–17:15	HO
Gasoil	ICE	ICE Futures Europe		20:00–18:00	G
RBOB Gasoline	NYM	New York Mercantile Exchange.	09:00–14:30	18:00–17:15	RB
Natural Gas	NYM	New York Mercantile Exchange.	09:00–14:30	18:00–17:15	NG
Copper high grade	CMX	Commodity Exchange	08:10–13:00	18:00–17:15	HG
Copper grade A	LME	London Metal Exchange	06:40–12:00*	20:00–14:00	CA
Zinc high grade	LME	London Metal Exchange	06:40–12:00*	20:00–14:00	ZS
Aluminium primary	LME	London Metal Exchange	06:40–12:00*	20:00–14:00	AH
Nickel primary	LME	London Metal Exchange	06:40–12:00*	20:00–14:00	NI
Lead standard	LME	London Metal Exchange	06:40–12:00*	20:00–14:00	PB
Tin	LME	London Metal Exchange	06:40–12:00*	20:00–14:00	SN
Gold	CMX	Commodity Exchange	8:20–13:30	18:00–17:15	GC
Silver	CMX	Commodity Exchange	08:25–13:25	18:00–17:15	SI
Platinum	NYM	New York Mercantile Exchange.	08:20–13:05	18:00–17:15	PL
Palladium	NYM	New York Mercantile Exchange.	08:30–13:00	18:00–17:15	PA
SRW Wheat	CBT	Chicago Board of Trade	09:30–14:15	Sun–F 20:00–08:45 M–F 09:30–14:15.	W; ZW
HRW Wheat	CBT	Chicago Board of Trade	09:30–14:15	Sun–F 20:00–08:45 M–F 09:30–14:15.	KW; KE
Euro. Milling Wheat	EOP	NYSE LIFFE—Paris		04:45–12:30	EBM

the U.S. on registered exchanges. The Fund may invest in the securities of ETFs in excess of the limits imposed under the 1940 Act pursuant to exemptive orders obtained by other ETFs and their sponsors from the Commission. In addition, the Fund may invest in the securities of certain other investment companies in excess of the limits imposed under the 1940 Act pursuant to an exemptive order obtained by the Trust and the Adviser from the Commission. *See* Investment Company Act Release No. 30454 (April 9, 2013) (File No. 812–14079). The ETFs in which the Fund may invest include Index Fund Shares (as described in Nasdaq Rule 5705), Portfolio Depository Receipts (as described in Nasdaq Rule 5705), and Managed Fund Shares (as described in Nasdaq Rule 5735).

While the Fund and the Subsidiary may invest in inverse commodity-linked instruments, the Fund and the Subsidiary will not invest in leveraged or inverse leveraged (*e.g.,* 2X or -3X) commodity-linked instruments.

[16] The Fund may invest in certificates of deposit issued against funds deposited in a bank or savings and loan association. In addition, the Fund may invest in bankers' acceptances, which are short-term credit instruments used to finance commercial transactions. The Fund also may invest in bank time deposits, which are monies kept on deposit with banks or savings and loan associations for a stated period of time at a fixed rate of interest.

[17] The Subsidiary will not be registered under the 1940 Act and will not be directly subject to its investor protections, except as noted in the Registration Statement. However, the Subsidiary will be wholly-owned and controlled by the Fund. Therefore, the Fund's ownership and control of the Subsidiary will prevent the Subsidiary from taking action contrary to the interests of the Fund or its shareholders. The Board will have oversight responsibility for the investment activities of the Fund, including its expected investment in the Subsidiary, and the Fund's role as the sole shareholder of the Subsidiary. The Subsidiary will also enter into separate contracts for the provision of custody, transfer agency, and accounting agent services with the same or with affiliates of the same service providers that provide those services to the Fund.

Commodity	Exchange code	Exchange name [18]	Trading hours pit (E.T.)	Trading hours electronic (E.T.)	Contract symbol(s)
Corn	CBT	Chicago Board of Trade	09:30–14:15	Sun–F 20:00–08:45 M–F 09:30–14:15.	C; ZC
Soybeans	CBT	Chicago Board of Trade	09:30–14:15	Sun–F 20:00–08:45 M–F 09:30–14:15.	S; ZS
Soybean Meal	CBT	Chicago Board of Trade	09:30–14:15	Sun–F 20:00–08:45 M–F 09:30–14:15.	SM; ZM
Soybean Oil	CBT	Chicago Board of Trade	09:30–14:15	Sun–F 20:00–08:45 M–F 09:30–14:15.	BO; ZL
Sugar #11	NYB	ICE Futures US		03:30–13:00	SB
Sugar #5	LIF	NYSE LIFFE—London		03:45–12:55	W
Cocoa	NYB	ICE Futures US		04:45–13:30	CC
Cocoa	LIF	NYSE LIFFE—London		04:30–11:50	C
Coffee "C" Arabica	NYB	ICE Futures US		04:15–13:30	KC
Coffee Robusta	LIF	NYSE LIFFE—London		04:00–12:30	RC
Cotton	NYB	ICE Futures US		21:00–14:20	CT
Live Cattle	CME	Chicago Mercantile Exchange	10:05–14:00	M 10:05–F 14:55 (Halts 17:00–18:00).	LC; LE
Feeder Cattle	CME	Chicago Mercantile Exchange	10:05–14:00	M 10:05–F 14:55 (Halts 17:00–18:00).	FC; GF
Lean Hogs	CME	Chicago Mercantile Exchange	10:05–14:00	M 10:05–F 14:55 (Halts 17:00–18:00).	LH; HE

[18] All of the exchanges are Intermarket Surveillance Group ("ISG") members except for the London Metal Exchange ("LME"), ICE Futures Europe, Commodity Exchange, NYSE LIFFE—Paris and NYSE LIFFE—London. The LME falls under the jurisdiction of the Financial Conduct Authority ("FCA"). The FCA is responsible for ensuring the financial stability of the exchange members' businesses, whereas the LME is largely responsible for the oversight of day-to-day exchange activity, including conducting the arbitration proceedings under the LME arbitration regulations. With respect to the futures contracts in which the Subsidiary invests, not more than 10% of the weight (to be calculated as the value of the contract divided by the total absolute notional value of the Subsidiary's futures contracts) of the futures contracts held by the Subsidiary in the aggregate shall consist of instruments whose principal trading market is not a member of ISG or is a market with which the Exchange does not have a comprehensive surveillance sharing agreement.

As indicated above, the Benchmark will include and the Subsidiary will have holdings in futures contracts that consist of only long positions in Commodities. To be "long" means to hold or be exposed to a security or instrument with the expectation that its value will increase over time. Therefore, the Fund, through the Subsidiary, will benefit if a security or instrument increases in value. Conversely, the Fund, through the Subsidiary, will be adversely impacted if a security or instrument declines in value. The Fund through the Subsidiary may have a higher or lower exposure to any sector or component within the Benchmark at any time.

The Benchmark does not include, and the Fund and the Subsidiary will not invest in, options contracts, swaps or forward investments.

Commodities Regulation

The Commodity Futures Trading Commission ("CFTC") has recently adopted substantial amendments to CFTC Rule 4.5 relating to the permissible exemptions and conditions for reliance on exemptions from registration as a commodity pool operator. As a result of the instruments that will be indirectly held by the Fund, the Adviser will register as a commodity pool operator [19] and will also be a member of the National Futures Association ("NFA"). The Sub-Adviser will register as a commodity pool operator or commodity trading adviser, as required by CFTC regulations. The Fund and the Subsidiary will be subject to regulation by the CFTC and NFA and additional disclosure, reporting and recordkeeping rules imposed upon commodity pools.

Investment Restrictions

While the Fund will be permitted to borrow as permitted under the 1940 Act, the Fund's investments will not be used to seek performance that is the multiple or inverse multiple (*i.e.,* 2X and -3X) of the Fund's Benchmark.

The Fund may not invest more than 25% of the value of its total assets in securities of issuers in any one industry or group of industries. This restriction will not apply to obligations issued or guaranteed by the U.S. government, its agencies or instrumentalities, or securities of other investment companies.[20]

The Subsidiary's shares will be offered only to the Fund and the Fund will not sell shares of the Subsidiary to other investors. The Fund and the Subsidiary will not invest in any non-U.S. equity securities (other than shares of the Subsidiary). The Fund will not purchase securities of open-end or closed-end investment companies except in compliance with the 1940 Act or any applicable exemptive relief.[21]

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid assets (calculated at the time of investment), including securities deemed illiquid by the Adviser.[22] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid assets. Illiquid assets include securities subject to contractual or other restrictions on resale and other instruments that lack readily available

[19] As defined in Section 1a(11) of the Commodity Exchange Act.

[20] *See* Form N–1A, Item 9. The Commission has taken the position that a fund is concentrated if it invests more than 25% of the value of its total assets in any one industry. *See, e.g.,* Investment Company Act Release No. 9011 (October 30, 1975), 40 FR 54241 (November 21, 1975).

[21] *See* note 15.

[22] In reaching liquidity decisions, the Adviser may consider the following factors: the frequency of trades and quotes for the security; the number of dealers wishing to purchase or sell the security and the number of other potential purchasers; dealer undertakings to make a market in the security; and the nature of the security and the nature of the marketplace trades (*e.g.,* the time needed to dispose of the security, the method of soliciting offers, and the mechanics of transfer).

markets as determined in accordance with Commission staff guidance.[23]

Net Asset Value

The Fund's net asset value (''NAV'') will be determined as of the close of trading (normally 4:00 p.m., Eastern time (''E.T.'')) on each day the New York Stock Exchange (''NYSE'') is open for business. The NAV of the Fund will be calculated by dividing the value of the net assets of such Fund (*i.e.,* the value of its total assets, less total liabilities) by the total number of outstanding Shares, generally rounded to the nearest cent.

The Fund's and the Subsidiary's investments will be generally valued using market valuations. A market valuation generally means a valuation (i) obtained from an exchange, a pricing service, or a major market maker (or dealer), (ii) based on a price quotation or other equivalent indication of value supplied by an exchange, a pricing service, or a major market maker (or dealer), or (iii) based on amortized cost. The Fund and the Subsidiary may use various pricing services or discontinue the use of any pricing service. A price obtained from a pricing service based on such pricing service's valuation matrix may be considered a market valuation.

If available, debt securities and money market instruments with maturities of more than 60 days will typically be priced based on valuations provided by independent, third-party pricing agents. Such values will generally reflect the last reported sales price if the security is actively traded. The third-party pricing agents may also value debt securities at an evaluated bid price by employing methodologies that utilize actual market transactions, broker-supplied valuations, or other methodologies designed to identify the market value for such securities. Debt obligations with remaining maturities of 60 days or less may be valued on the basis of amortized cost, which approximates market value. If such prices are not available, the security will be valued based on values supplied by independent brokers or by fair value pricing, as described below.

Futures contracts will be valued at the settlement price established each day by the board or exchange on which they are traded.

Redeemable securities issued by U.S. registered open-end investment companies will be valued at the investment company's applicable NAV, with the exception of ETFs, which will be priced as described below. In the case of shares of funds that are not traded on an exchange, a market valuation means such fund's published NAV per share.

Equity securities (including exchange-traded commodity-linked instruments, other ETFs, and closed-end funds) listed on a securities exchange, market or automated quotation system for which quotations are readily available (except for securities traded on the Exchange) will be valued at the last reported sale price on the primary exchange or market on which they are traded on the valuation date (or at approximately 4:00 p.m., E.T. if a security's primary exchange is normally open at that time). For a security that trades on multiple exchanges, the primary exchange will generally be considered to be the exchange on which the security generally has the highest volume of trading activity. If it is not possible to determine the last reported sale price on the relevant exchange or market on the valuation date, the value of the security will be taken to be the most recent mean between the bid and asked prices on such exchange or market on the valuation date. Absent both bid and asked prices on such exchange, the bid price may be used. For securities traded on the Exchange, the Exchange official closing price will be used. If such prices are not available, the security will be valued based on values supplied by independent brokers or by fair value pricing, as described below.

The prices for foreign instruments will be reported in local currency and converted to U.S. dollars using currency exchange rates. Exchange rates will be provided daily by recognized independent pricing agents.

In the event that current market valuations are not readily available or such valuations do not reflect current market values, the affected investments will be valued using fair value pricing pursuant to the pricing policy and procedures approved by the Board in accordance with the 1940 Act. The frequency with which the Fund's and the Subsidiary's investments are valued using fair value pricing will be primarily a function of the types of securities and other assets in which they invest pursuant to their respective investment objectives, strategies and limitations.

Creation and Redemption of Shares

The Fund will issue and redeem Shares on a continuous basis at NAV[24] only in large blocks of Shares (''Creation Units'') in transactions with authorized participants, generally including broker-dealers and large institutional investors (''Authorized Participants''). Creation Units are not expected to consist of less than 25,000 Shares. The Fund will issue and redeem Creation Units in exchange for an in-kind portfolio of instruments and/or cash in lieu of such instruments (the ''Creation Basket''). In addition, if there is a difference between the NAV attributable to a Creation Unit and the market value of the Creation Basket exchanged for the Creation Unit, the party conveying instruments with the lower value will pay to the other an amount in cash equal to the difference (referred to as the ''Cash Component'').

Creations and redemptions must be made by an Authorized Participant or through a firm that is either a member of the National Securities Clearing Corporation (''NSCC'') or a Depository Trust Company participant, that, in each case, must have executed an agreement that has been agreed to by the Distributor and the Fund's transfer agent with respect to creations and redemptions of Creation Units. All standard orders to create Creation Units must be received by the Distributor no later than the closing time of the regular trading session on the NYSE (ordinarily 4:00 p.m., E.T.) (the ''Closing Time'') in each case on the date such order is placed in order for the creation of Creation Units to be effected based on the NAV of Shares as next determined on such date after receipt of the order in proper form. Shares may be redeemed only in Creation Units at their NAV next determined after receipt not later than the Closing Time of a redemption request in proper form by the Fund through the Distributor and only on a business day.

The Custodian, through the NSCC, will make available on each business day, prior to the opening of business of the Exchange, the list of the names and quantities of the instruments comprising

[23] The Commission has stated that long-standing Commission guidelines have required open-end funds to hold no more than 15% of their net assets in illiquid securities and other illiquid assets. *See* Investment Company Act Release No. 28193 (March 11, 2008), 73 FR 14618 (March 18, 2008), footnote 34. *See also* Investment Company Act Release No. 5847 (October 21, 1969), 35 FR 19989 (December 31, 1970) (Statement Regarding ''Restricted Securities''); Investment Company Act Release No. 18612 (March 12, 1992), 57 FR 9828 (March 20, 1992) (Revisions of Guidelines to Form N–1A). A fund's portfolio security is illiquid if it cannot be disposed of in the ordinary course of business within seven days at approximately the value ascribed to it by the fund. *See* Investment Company Act Release No. 14983 (March 12, 1986), 51 FR 9773 (March 21, 1986) (adopting amendments to Rule 2a–7 under the 1940 Act); Investment Company Act Release No. 17452 (April 23, 1990), 55 FR 17933 (April 30, 1990) (adopting Rule 144A under the Securities Act of 1933).

[24] The NAV of the Fund's Shares generally will be calculated once daily Monday through Friday as of the close of regular trading on the New York Stock Exchange, generally 4:00 p.m., E.T. (the ''NAV Calculation Time''). NAV per Share will be calculated by dividing the Fund's net assets by the number of Fund Shares outstanding.

the Creation Basket, as well as the estimated Cash Component (if any), for that day. The published Creation Basket will apply until a new Creation Basket is announced on the following business day.

Availability of Information

The Fund's Web site (*www.globalxfunds.com*), which will be publicly available prior to the public offering of Shares, will include a form of the prospectus for the Fund that may be downloaded. The Web site will include the Share's ticker, CUSIP and exchange information along with additional quantitative information updated on a daily basis, including, for the Fund: (1) Daily trading volume, the prior business day's reported NAV and closing price, mid-point of the bid/ask spread at the time of calculation of such NAV (the ''Bid/Ask Price'') [25] and a calculation of the premium and discount of the Bid/Ask Price against the NAV; and (2) data in chart format displaying the frequency distribution of discounts and premiums of the daily Bid/Ask Price against the NAV, within appropriate ranges, for each of the four previous calendar quarters. On each business day, before commencement of trading in Shares in the Regular Market Session [26] on the Exchange, the Fund will disclose on its Web site the identities and quantities of the portfolio of securities, Commodities and other assets (the ''Disclosed Portfolio'' as defined in Nasdaq Rule 5735(c)(2)) held by the Fund and the Subsidiary that will form the basis for the Fund's calculation of NAV at the end of the business day.[27] On a daily basis, the Fund will disclose on the Fund's Web site the following information regarding each portfolio holding, as applicable to the type of holding: ticker symbol, CUSIP number or other identifier, if any; a description of the holding (including the type of holding), the identity of the security, commodity or other asset or instrument underlying the holding, if any; quantity held (as measured by, for example, par value, notional value or number of shares, contracts or units); maturity date, if any; coupon rate, if any; effective date, if any; market value of the holding; and percentage weighting of the holding in the Fund's portfolio. The Web site and information will be publicly available at no charge.

In addition, for the Fund, an estimated value, defined in Rule 5735(c)(3) as the ''Intraday Indicative Value,'' that reflects an estimated intraday value of the Fund's portfolio (including the Subsidiary's portfolio), will be disseminated. Moreover, the Intraday Indicative Value, available on the NASDAQ OMX Information LLC proprietary index data service [28] will be based upon the current value for the components of the Disclosed Portfolio and will be updated and widely disseminated by one or more major market data vendors and broadly displayed at least every 15 seconds during the Regular Market Session.

The dissemination of the Intraday Indicative Value, together with the Disclosed Portfolio, will allow investors to determine the value of the underlying portfolio of the Fund on a daily basis and will provide a close estimate of that value throughout the trading day.

Intra-day executable price quotations on the securities and other assets held by the Fund and the Subsidiary will be available from major broker-dealer firms or on the exchange on which they are traded, as applicable. Intra-day price information on the securities and other assets held by the Fund and the Subsidiary will also be available through subscription services, such as Bloomberg and Thomson Reuters, which can be accessed by Authorized Participants and other investors. More specifically, pricing information for Commodities, ETFs other than Commodities, and closed-end funds will be available on the exchanges on which they are traded and through subscription services. Pricing information for fixed income securities and money market instruments will be available through subscription services and/or broker-dealer firms. Additionally, the Trade Reporting and Compliance Engine (''TRACE'') of the Financial Industry Regulatory Authority (''FINRA'') will be a source of price information for certain fixed income securities held by the Fund.

Investors will also be able to obtain the Fund's Statement of Additional Information (''SAI''), the Fund's annual and semi-annual reports (together, ''Shareholder Reports''), and its Form N–CSR and Form N–SAR, filed twice a year. The Fund's SAI and Shareholder Reports will be available free upon request from the Fund, and those documents and the Form N–CSR and Form N–SAR may be viewed on-screen or downloaded from the Commission's Web site at *www.sec.gov.* Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. The previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last sale information for the Shares will be available via Nasdaq proprietary quote and trade services, as well as in accordance with the Unlisted Trading Privileges and the Consolidated Tape Association plans for the Shares.

Information relating to the Benchmark, including its constituents, weightings and changes to its constituents will be available on the Web site of CS.

Initial and Continued Listing

The Shares will be subject to Rule 5735, which sets forth the initial and continued listing criteria applicable to Managed Fund Shares. The Exchange represents that, for initial and/or continued listing, the Fund and the Subsidiary must be in compliance with Rule 10A–3 [29] under the Act. A minimum of 100,000 Shares will be outstanding at the commencement of trading on the Exchange. The Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares of the Fund. Nasdaq will halt trading in the Shares under the conditions specified in Nasdaq Rules 4120 and 4121, including the trading pauses under Nasdaq Rules 4120(a)(11) and (12). Trading may be halted because of

[25] The Bid/Ask Price of the Fund will be determined using the mid-point of the highest bid and the lowest offer on the Exchange as of the time of calculation of the Fund's NAV. The records relating to Bid/Ask Prices will be retained by the Fund and its service providers.

[26] *See* Nasdaq Rule 4120(b)(4) (describing the three trading sessions on the Exchange: (1) Pre-Market Session from 4 a.m. to 9:30 a.m., E.T.; (2) Regular Market Session from 9:30 a.m. to 4 p.m. or 4:15 p.m., E.T.; and (3) Post-Market Session from 4 p.m. or 4:15 p.m. to 8 p.m., E.T.).

[27] Under accounting procedures to be followed by the Fund, trades made on the prior business day (''T'') will be booked and reflected in NAV on the current business day (''T+1''). Accordingly, the Fund will be able to disclose at the beginning of the business day the portfolio that will form the basis for the NAV calculation at the end of the business day.

[28] Currently, the NASDAQ OMX Global Index Data Service (''GIDS'') is the NASDAQ OMX global index data feed service, offering real-time updates, daily summary messages, and access to widely followed indexes and Intraday Indicative Values for ETFs. GIDS provides investment professionals with the daily information needed to track or trade NASDAQ OMX indexes, listed ETFs, or third-party partner indexes and ETFs.

[29] *See* 17 CFR 240.10A–3.

market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) The extent to which trading is not occurring in the securities, Commodities and other assets constituting the Disclosed Portfolio of the Fund and the Subsidiary; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. Trading in the Shares also will be subject to Rule 5735(d)(2)(D), which sets forth circumstances under which Shares of the Fund may be halted.

Trading Rules

Nasdaq deems the Shares to be equity securities, thus rendering trading in the Shares subject to Nasdaq's existing rules governing the trading of equity securities. Nasdaq will allow trading in the Shares from 4:00 a.m. until 8:00 p.m., E.T. The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in Nasdaq Rule 5735(b)(3), the minimum price variation for quoting and entry of orders in Managed Fund Shares traded on the Exchange is $0.01.

Surveillance

The Exchange represents that trading in the Shares will be subject to the existing trading surveillances, administered by both Nasdaq and also FINRA on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws.[30] The Exchange represents that these procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws.

The surveillances referred to above generally focus on detecting securities trading outside their normal patterns, which could be indicative of manipulative or other violative activity. When such situations are detected, surveillance analysis follows and investigations are opened, where appropriate, to review the behavior of all relevant parties for all relevant trading violations.

FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary with other markets and other entities that are members of the ISG[31] and FINRA may obtain trading information regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary from markets and other entities that are members of ISG, which includes securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement. Moreover, FINRA, on behalf of the Exchange, will be able to access, as needed, trade information for certain fixed income securities held by the Fund reported to FINRA's TRACE.

With respect to the futures contracts in which the Subsidiary invests, not more than 10% of the weight (to be calculated as the value of the contract divided by the total absolute notional value of the Subsidiary's futures contracts) of the futures contracts held by the Subsidiary in the aggregate shall consist of instruments whose principal trading market is not a member of ISG or is a market with which the Exchange does not have a comprehensive surveillance sharing agreement. All commodity-linked instruments in which the Subsidiary invests will be traded on ISG member markets

In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

Information Circular

Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (1) The procedures for purchases and redemptions of Shares in Creation Units (and that Shares are not individually redeemable); (2) Nasdaq Rule 2111A, which imposes suitability obligations on Nasdaq members with respect to recommending transactions in the Shares to customers; (3) how and by whom information regarding the Intraday Indicative Value and the Disclosed Portfolio is disseminated; (4) the risks involved in trading the Shares during the Pre-Market and Post-Market Sessions when an updated Intraday Indicative Value will not be calculated or publicly disseminated; (5) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (6) trading information.

The Information Circular will also discuss any exemptive, no-action and interpretive relief granted by the Commission from any rules under the Act.

Additionally, the Information Circular will reference that the Fund is subject to various fees and expenses described in the Registration Statement. The Information Circular will also disclose the trading hours of the Shares of the Fund and the applicable NAV Calculation Time for the Shares. The Information Circular will disclose that information about the Shares of the Fund will be publicly available on the Fund's Web site.

2. Statutory Basis

Nasdaq believes that the proposal is consistent with Section 6(b) of the Act in general and Section 6(b)(5) of the Act in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares will be listed and traded on the Exchange pursuant to the initial and continued listing criteria in Nasdaq Rule 5735. The Exchange represents that trading in the Shares will be subject to the existing trading surveillances, administered by both Nasdaq and also FINRA on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws. The Adviser is not registered as a broker-dealer and is not affiliated with a broker-dealer.

FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary with other markets and other entities that are members of the ISG and FINRA may obtain trading information

[30] FINRA surveils trading on the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

[31] For a list of the current members of ISG, *see www.isgportal.org*. The Exchange notes that not all components of the Disclosed Portfolio may trade on markets that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary from markets and other entities that are members of ISG, which includes securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement. Moreover, FINRA, on behalf of the Exchange, will be able to access, as needed, trade information for certain fixed income securities held by the Fund reported to FINRA's TRACE. With respect to the futures contracts in which the Subsidiary invests, not more than 10% of the weight (to be calculated as the value of the contract divided by the total absolute notional value of the Subsidiary's futures contracts) of the futures contracts held by the Subsidiary in the aggregate shall consist of instruments whose principal trading market is not a member of ISG or is a market with which the Exchange does not have a comprehensive surveillance sharing agreement. All commodity-linked instruments in which the Subsidiary invests will be traded on ISG member markets.

The Fund's investment objective will be to provide total return which exceeds that of the Benchmark, consistent with prudent investment management. The Fund will gain access to futures through the Subsidiary. The Fund's investment in the Subsidiary may not exceed 25% of the Fund's total assets. The Fund will not invest directly in Commodities. While the Fund will be permitted to borrow as permitted under the 1940 Act, the Fund's investments will not be used to seek performance that is the multiple or inverse multiple (*i.e.,* 2X and -3X) of the Fund's Benchmark. The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid assets (calculated at the time of investment), including securities deemed illiquid by the Adviser. The Fund and the Subsidiary will not invest in any non-U.S. equity securities (other than shares of the Subsidiary).

The proposed rule change is designed to promote just and equitable principles of trade and to protect investors and the public interest in that the Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time. In addition, a large amount of information will be publicly available regarding the Fund and the Shares, thereby promoting market transparency. Moreover, the Intraday Indicative Value, available on the NASDAQ OMX Information LLC proprietary index data service, will be widely disseminated by one or more major market data vendors and broadly disseminated at least every 15 seconds during the Regular Market Session. On each business day, before commencement of trading in Shares in the Regular Market Session on the Exchange, the Fund will disclose on its Web site the Disclosed Portfolio of the Fund and the Subsidiary that will form the basis for the Fund's calculation of NAV at the end of the business day. Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services, and quotation and last sale information for the Shares will be available via Nasdaq proprietary quote and trade services, as well as in accordance with the Unlisted Trading Privileges and the Consolidated Tape Association plans for the Shares.

Intra-day executable price quotations on the securities and other assets held by the Fund and the Subsidiary will be available from major broker-dealer firms or on the exchange on which they are traded, as applicable. Intra-day price information on the securities and other assets held by the Fund and the Subsidiary will also be available through subscription services, such as Bloomberg and Thomson Reuters, which can be accessed by Authorized Participants and other investors. More specifically, pricing information for Commodities, ETFs other than Commodities, and closed-end funds will be available on the exchanges on which they are traded and through subscription services. Pricing information for fixed income securities and money market instruments will be available through subscription services and/or broker-dealer firms. Additionally, FINRA's TRACE will be a source of price information for certain fixed income securities held by the Fund.

The Fund's Web site will include a form of the prospectus for the Fund and additional data relating to NAV and other applicable quantitative information. Trading in Shares of the Fund will be halted under the conditions specified in Nasdaq Rules 4120 and 4121 or because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable, and trading in the Shares will be subject to Nasdaq Rule 5735(d)(2)(D), which sets forth circumstances under which Shares of the Fund may be halted. In addition, as noted above, investors will have ready access to information regarding the Fund's holdings, the Intraday Indicative Value, the Disclosed Portfolio, and quotation and last sale information for the Shares.

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest in that it will facilitate the listing and trading of an additional type of actively-managed exchange-traded product that will enhance competition among market participants, to the benefit of investors and the marketplace. As noted above, FINRA, on behalf of the Exchange, will communicate as needed regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary with other markets and other entities that are members of the ISG and FINRA may obtain trading information regarding trading in the Shares and in the exchange-traded securities, commodity-linked instruments and futures contracts held by the Fund and the Subsidiary from such markets and other entities. In addition, as noted above, investors will have ready access to information regarding the Fund's holdings, the Intraday Indicative Value, the Disclosed Portfolio, and quotation and last sale information for the Shares.

For the above reasons, Nasdaq believes the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed rule change will facilitate the listing and trading of an additional type of actively-managed exchange-traded fund that will enhance competition among market participants, to the benefit of investors and the marketplace.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period 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 the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2014–059 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–NASDAQ–2014–059. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2014–059 and should be submitted on or before July 7, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13932 Filed 6–13–14; 8:45 am]

BILLING CODE 8011–01–P

[32] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72356; File No. SR–MIAX–2014–26]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule

June 10, 2014.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 27, 2014, Miami International Securities Exchange LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Options Fee Schedule.

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/filter/wotitle/rule_filing,* at MIAX's principal office, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Priority Customer Rebate Program (the ''Program'')[3] to expand the number of option classes that qualify for a $0.20 per contract credit for transactions in MIAX Select Symbols.[4]

The Program is based on the substantially similar fees of another competing options exchange.[5] Under the Program, the Exchange credits each Member the per contract amount set forth in the table below resulting from each Priority Customer[6] order transmitted by that Member which is executed on the Exchange in all multiply-listed option classes (excluding mini-options and executions related to contracts that are routed to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 1400), provided the Member meets certain volume thresholds in a month. For each Priority Customer order transmitted by that Member which is

[3] *See* Securities Exchange Act Release Nos. 71698 (March 12, 2014), 79 FR 15185 (March 18, 2014) (SR–MIAX–2014–12); 71700 (March 12, 2014), 79 FR 15188 (March 18, 2014) (SR–MIAX–2014–13); 71283 (January 10, 2014), 79 FR 2914 (January 16, 2014) (SR–MIAX–2013–63); 71009 (December 6, 2013), 78 FR 75629 (December 12, 2013) (SR–MIAX–2013–56).

[4] The term ''MIAX Select Symbols'' currently means options overlying AAPL, FB, EEM, QQQ, and IWM.

[5] *See* Chicago Board Options Exchange, Incorporated (''CBOE'') Fees Schedule, p. 4. *See also* Securities Exchange Act Release Nos. 66054 (December 23, 2011), 76 FR 82332 (December 30, 2011) (SR–CBOE–2011–120); 68887 (February 8, 2013), 78 FR 10647 (February 14, 2013) (SR–CBOE–2013–017).

[6] The term ''Priority Customer'' means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial accounts(s). *See* MIAX Rule 100.

executed electronically on the Exchange in MIAX Select Symbols, MIAX shall credit each member at the separate per contract rate for MIAX Select Symbols. The volume thresholds are calculated based on the customer average daily volume over the course of the month. Volume is recorded for and credits are delivered to the Member Firm that submits the order to the Exchange. The Exchange aggregates the contracts resulting from Priority Customer orders transmitted and executed electronically on the Exchange from affiliated Members for purposes of the thresholds above, provided there is at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A. In the event of a MIAX System outage or other interruption of electronic trading on MIAX, the Exchange adjusts the national customer volume in multiply-listed options for the duration of the outage. A Member may request to receive its credit under the Program as a separate direct payment.

The Exchange proposes modifying the Program to expand the number of option classes that qualify for a $0.20 per contract credit for transactions in MIAX Select Symbols. MIAX Select Symbols currently include options overlying AAPL, FB, EEM, QQQ, and IWM. The Exchange proposes to modify the MIAX Select Symbols to add AAL, AIG, AMZN, AZN, BP, C, CMCSA, EBAY, EFA, FCX, FXI, GILD, GLD, INTC, IYR, JCP, JPM, NFLX, NQ, PCLN, PFE, PG, S, SUNE, T, TSLA, VALE, WFC, XLE, XLF, and XOM. Thus, the Exchange will credit each Member $0.20 per contract resulting from each Priority Customer order transmitted by that Member executed on Exchange in AAL, AAPL, AIG, AMZN, AZN, BP, C, CMCSA, EBAY, EEM, EFA, FB, FCX, FXI, GILD, GLD, INTC, IWM, IYR, JCP, JPM, NFLX, NQ, PCLN, PFE, PG, QQQ, S, SUNE, T, TSLA, VALE, WFC, XLE, XLF, and XOM. The $0.20 per contract credit would be in lieu of the applicable credit that would otherwise apply to the transaction based on the volume thresholds. The Exchange notes that all the other aspects of the Program would continue to apply to the credits (*e.g.,* the aggregation of volume of affiliates, exclusion of contracts that are routed to away exchanges, exclusion of mini-options * * * etc.).[7]

For example, if Member Firm ABC, Inc. (''ABC'') has enough Priority Customer contracts to achieve 0.3% of the national customer volume in multiply-listed option contracts during the month of October, ABC will receive a credit of $0.10 for each Priority Customer contract executed in the month of October. However, any qualifying Priority Customer transactions during such month that occurred in AAL, AAPL, AIG, AMZN, AZN, BP, C, CMCSA, EBAY, EEM, EFA, FB, FCX, FXI, GILD, GLD, INTC, IWM, IYR, JCP, JPM, NFLX, NQ, PCLN, PFE, PG, QQQ, S, SUNE, T, TSLA, VALE, WFC, XLE, XLF, and XOM would be credited at the $0.20 per contact rate versus the standard credit of $0.10. Similarly, if Member Firm XYZ, Inc. (''XYZ'') has enough Priority Customer contracts to achieve 2.5% of the national customer volume in multiply-listed option contracts during the month of October, XYZ will receive a credit of $0.18 for each Priority Customer contract executed in the month of October. However, any qualifying Priority Customer transactions during such month that occurred in AAL, AAPL, AIG, AMZN, AZN, BP, C, CMCSA, EBAY, EEM, EFA, FB, FCX, FXI, GILD, GLD, INTC, IWM, IYR, JCP, JPM, NFLX, NQ, PCLN, PFE, PG, QQQ, S, SUNE, T, TSLA, VALE, WFC, XLE, XLF, and XOM would be credited at the $0.20 per contact rate versus the standard credit of $0.18.

The purpose of the amendment to the Program is to further encourage Members to direct greater Priority Customer trade volume to the Exchange in these high volume symbols. Increased Priority Customer volume will provide for greater liquidity, which benefits all market participants on the Exchange. The practice of incentivizing increased retail customer order flow in order to attract professional liquidity providers (Market-Makers) is, and has been, commonly practiced in the options markets. As such, marketing fee programs,[8] and customer posting incentive programs,[9] are based on attracting public customer order flow. The practice of providing additional incentives to increase order flow in high volume symbols is, and has been, commonly practiced in the options markets.[10] The Program similarly intends to attract Priority Customer order flow, which will increase liquidity, thereby providing greater trading opportunities and tighter spreads for other market participants and causing a corresponding increase in order flow from such other market participants in these select symbols. Increasing the number of orders sent to the Exchange will in turn provide tighter and more liquid markets, and therefore attract more business overall.

The credits paid out as part of the program will be drawn from the general revenues of the Exchange.[11] The Exchange calculates volume thresholds on a monthly basis.

The Exchange proposes to implement the new transaction fees beginning June 2, 2014.

2. Statutory Basis

The Exchange believes that its proposal to amend its fee schedule is consistent with Section 6(b) of the Act [12] in general, and furthers the objectives of Section 6(b)(4) of the Act [13] in particular, in that it is an equitable allocation of reasonable fees and other charges among Exchange members.

The Exchange believes that the proposed Priority Customer Rebate Program is fair, equitable and not unreasonably discriminatory. The Program is reasonably designed because it will incent providers of Priority Customer order flow to send that Priority Customer order flow to the Exchange in order to receive a credit in a manner that enables the Exchange to improve its overall competitiveness and strengthen its market quality for all market participants. The proposal to increase the incentives in the high volume select symbols is also reasonably designed to increase the competitiveness of the Exchange with other options exchanges that also offer increased incentives to higher volume symbols. The proposed rebate program is fair and equitable and not unreasonably discriminatory because it will apply equally to all Priority Customer orders in the select symbols. All similarly situated Priority Customer orders in the select symbols are subject

[7] *See* MIAX Options Fee Schedule, p. 3. *See also* Securities Exchange Act Release Nos. 71698 (March 12, 2014), 79 FR 15185 (March 18, 2014) (SR–MIAX–2014–12); 71700 (March 12, 2014), 79 FR 15188 (March 18, 2014) (SR–MIAX–2014–13); 71283 (January 10, 2014), 79 FR 2914 (January 16, 2014) (SR–MIAX–2013–63); 71009 (December 6, 2013), 78 FR 75629 (December 12, 2013) (SR–MIAX–2013–56).

[8] *See* MIAX Fee Schedule, Section 1(b).

[9] *See* NYSE Arca, Inc. Fees Schedule, page 4 (section titled ''Customer Monthly Posting Credit Tiers and Qualifications for Executions in Penny Pilot Issues'').

[10] *See* International Securities Exchange, LLC, Schedule of Fees, p. 6 (providing reduced fee rates for order flow in Select Symbols); NASDAQ OMX PHLX, Pricing Schedule, Section I (providing a rebate for adding liquidity in SPY); NYSE Arca, Inc. Fees Schedule, page 4 (section titled ''Customer Monthly Posting Credit Tiers and Qualifications for Executions in Penny Pilot Issues'').

[11] Despite providing credits under the Program, the Exchange represents that it will continue to have adequate resources to fund its regulatory program and fulfill its responsibilities as a self-regulatory organization while the Program will be in effect.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(4).

to the same rebate schedule, and access to the Exchange is offered on terms that are not unfairly discriminatory. In addition, the Program is equitable and not unfairly discriminatory because, while only Priority Customer order flow qualifies for the Program, an increase in Priority Customer order flow will bring greater volume and liquidity, which benefit all market participants by providing more trading opportunities and tighter spreads.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed change would increase both intermarket and intramarket competition by incenting Members to direct their Priority Customer orders in the select symbols to the Exchange, which will enhance the quality of quoting and increase the volume of contracts traded here in those symbols. To the extent that there is additional competitive burden on non-Priority Customers or trading in non-select symbols, the Exchange believes that this is appropriate because the proposed changes to the rebate program should incent Members to direct additional order flow to the Exchange and thus provide additional liquidity that enhances the quality of its markets and increases the volume of contracts traded here in those symbols. To the extent that this purpose is achieved, all the Exchange's market participants should benefit from the improved market liquidity in such select symbols. Enhanced market quality and increased transaction volume that results from the anticipated increase in order flow directed to the Exchange will benefit all market participants and improve competition on the Exchange in such select symbols. 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 adjust its fees to remain competitive with other exchanges and to attract order flow to the Exchange. The Exchange believes that the proposed rule change reflects this competitive environment because it reduces the Exchange's fees in a manner that encourages market participants to direct their customer order flow, to provide liquidity, and to attract additional transaction volume to the Exchange. Given the robust competition for volume among options markets, many of which offer the same products, implementing a volume based customer rebate program to attract order flow like the one being proposed in this filing is consistent with the above-mentioned goals of the Act. This is especially true for the smaller options markets, such as MIAX, which is competing for volume with much larger exchanges that dominate the options trading industry. As a new exchange, MIAX has a nominal percentage of the average daily trading volume in options, so it is unlikely that the customer rebate program could cause any competitive harm to the options market or to market participants. Rather, the customer rebate program is a modest attempt by a small options market to attract order volume away from larger competitors by adopting an innovative pricing strategy. The Exchange notes that if the rebate program resulted in a modest percentage increase in the average daily trading volume in options executing on MIAX, while such percentage would represent a large volume increase for MIAX, it would represent a minimal reduction in volume of its larger competitors in the industry. The Exchange believes that the proposal will help further competition, because market participants will have yet another additional option in determining where to execute orders and post liquidity if they factor the benefits of a customer rebate program into the determination.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[14] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

[14] 15 U.S.C. 78s(b)(3)(A)(ii).

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–MIAX–2014–26 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–MIAX–2014–26. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MIAX–2014–26 and should be submitted on or before July 7, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13931 Filed 6–13–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72359; File No. SR–ISE–2014–10]

Self-Regulatory Organizations; International Securities Exchange, LLC; Order Instituting Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change Related to Limiting Certain Types of Complex Orders From Legging Into the Regular Market

June 10, 2014.

I. Introduction

On February 25, 2014, the International Securities Exchange, LLC (the ''Exchange'' or ''ISE'') filed with the Securities and Exchange Commission (the ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change relating to complex orders. The proposed rule change was published for comment in the **Federal Register** on March 14, 2014.[3] The Commission received no comment letters. On April 23, 2014, the Commission extended the time period in which to either approve the proposal, disapprove the proposal, or to institute proceedings to determine whether to approve or disapprove the proposal, to June 12, 2014.[4] This order institutes proceedings under Section 19(b)(2)(B) of the Act [5] to determine whether to approve or disapprove the proposal.

II. Description of the Proposal

The Exchange proposes to amend ISE Rule 722 to prohibit certain types of complex orders from legging into the regular market (*i.e.,* executing against individual quotes for each of the legs of the complex order in the regular market).[6] Specifically, ISE proposes that complex orders with two option legs where both legs are buying or both legs are selling and both legs are calls or both legs are puts will only trade against other complex orders in the complex order book and will not be permitted to leg into the regular market.[7] ISE also proposes that complex orders with three option legs where all legs are buying or all legs are selling, regardless of whether the options are a calls or puts, will only trade against other complex orders in the complex order book and will not be permitted to leg into the regular market.[8] ISE describes these types of two and three leg complex order strategies as ''atypical'' complex order strategies in that they are geared toward an aggressive directional capture of volatility.[9]

The Exchange further proposes to amend ISE Rule 722 to prevent legging orders[10] from being generated on behalf of the two-legged complex orders where both legs are buying or both legs are selling and both legs are calls or both legs are puts.[11] According to the Exchange, preventing the generation of legging orders for these types of two-legged complex orders is necessary to effectuate the proposed limitation to exclude these types of complex orders from trading in the regular market.[12]

In addition, the Exchange proposes to amend Supplemental Material .08 to Rule 716 (Facilitation Mechanism and Solicited Order Mechanism) and Supplemental Material .10 to Rule 723 (Price Improvement Mechanism) to ensure that directional complex orders do not leg into the regular market through an auction.[13] ISE represents that, under its current rules, if an improved net price for a complex order in the Exchange's auctions can be achieved from bids and offers for the individual legs of the complex order in the regular market, the complex order would receive that better net price.[14] ISE proposes to prevent directional complex orders from interacting with the regular market during an auction in connection with the Exchange's proposal in order to prevent directional complex orders from executing against the regular market.[15] Accordingly, the Exchange proposes to amend Supplemental Material .08 to Rule 716 and Supplemental Material .10 to Rule 723 to provide that if an improved net price can be achieved from bids and offers for the individual legs for directional complex orders during an auction, ISE will cancel the auction at the end of the auction's exposure period.[16]

According to the Exchange, the proposed rule amendments are designed to prevent directional complex orders from bypassing the Exchange's market maker risk parameters for the regular market.[17] ISE states that the market maker risk parameters are designed to automatically remove a market maker's quotes in all series of an options class when any of four parameter settings established by the market maker are triggered.[18] ISE describes these market maker risk parameters as a functionality that allows market makers to provide liquidity across many different options series without being at risk of executing the full cumulative size of all of their quotes before being given adequate opportunity to adjust their quotes.[19] According to ISE, when a complex order legs into the regular market, all of the legs of a complex order are considered as a single transaction for purposes of the market maker risk parameters, and not as a series of individual transactions.[20] Thus, the trading system performs the market maker risk parameter calculations after the entire

[15] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 71669 (March 10, 2014), 79 FR 14563 (''Notice'').

[4] *See* Securities Exchange Act Release No. 72006 (April 23, 2014), 79 FR 24031 (April 29, 2014).

[5] 15 U.S.C. 78s(b)(2)(B).

[6] *See* Notice, *supra* note 3, at 14564. ISE Rule 722(b)(3)(ii) rule states that complex orders up to a maximum number of legs (determined by the Exchange on a class basis as either two legs or three legs) will be automatically executed against bids and offers on the Exchange for the individual legs of the complex order provided the complex order can be executed while maintaining a permissible ratio by such bids and offers.

[7] *See* Notice, *supra* note 3, at 14564. The Exchange offers some examples of such strategies as follows: (i) Buy Call 1, Buy Call 2; (ii) Sell Call 1, Sell Call 2; (iii) Buy Put 1, Buy Put 2; (iv) Sell Put 1, Sell Put 2. *See id.*

[8] *See id.* The Exchange offers some examples of such strategies as follows: (i) Buy Call 1, Buy Call 2, Buy Put 1; (ii) Buy Put 1, Buy Put 2, Buy Put 3; (iii) Buy Call 1, Buy Call 2, Buy Call 3; (iv) Buy Put 1, Buy Put 2, Buy Call 3; (v) Sell Put 1, Sell Put 2, Sell Call 1. *See id.*

[9] *See id.* Hereinafter these two and three legged complex order strategies that are the subject of this proposal will be referred to as ''directional complex orders.'' ISE states that most traditional complex order strategies used by retail or professional investors, unlike directional complex orders, seek to hedge the potential move of the underlying security or to capture a premium from an anticipated market event. *See id.*

[10] ISE Rule 715(k) defines a legging order as a limit order on the regular limit order book that represents one side of a complex order that is to buy or sell an equal quantity of two options series resting on the Exchange's complex order book.

[11] *See* Notice, *supra* note 3, at 14565. The Exchange notes that legging orders cannot be generated for complex orders with three options legs, and, therefore, is not proposing to prevent the generation of legging orders for complex orders with three option legs where all legs are buying or all legs are selling, regardless of whether the options are calls or puts. *See id.*

[12] *See id.*

[13] *See id.*

[14] *See id.*

[15] *See* Notice, *supra* note 3, at 14565.

[16] *See id.*

[17] *See id.* at 14564 *and* ISE Rule 804(g) (Automated Quotation Adjustments). *See also* Supplemental Material .04 to ISE Rule 722 (Automated Spread Quotation Adjustments).

[18] *See* Notice, *supra* note 3, at 14564.

[19] *See id.*

[20] *See id.*

complex order executes against interest in the regular market. According to the Exchange, the manner in which complex orders leg into the regular market may cause market makers to trade above limits set in their market maker risk parameters.[21] As a result, the Exchange believes that market makers may alter their trading behavior to account for the additional risk by widening quotes, hurting the Exchange's quality of markets and the quality of markets in general.[22] Further, according to ISE, directional complex orders that bypass market makers' risk parameters may result in artificially large transactions that distort the market for related instruments, including the underlying security or related options series.[23] The Exchange believes that the potential risk to market makers of allowing directional complex orders to execute against market makers' quotes in the regular market outweighs the potential benefit of allowing directional orders to execute against interest in the regular market.[24] By limiting directional complex orders from legging into the regular market, the Exchange believes that market makers will post tighter and more liquid markets for regular orders and traditional complex orders, while reducing the frequency and size of related market distortions.[25]

Finally, ISE represents that directional complex orders may trade against other complex order in the ISE complex order book and may rest on the ISE complex order book until they are traded or canceled by the member that entered them.[26]

III. Proceedings to Determine Whether to Approve or Disapprove SR–ISE–2014–10 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[27] to determine whether the proposed rule change should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change, as discussed below. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described in greater detail below, the Commission seeks and encourages interested persons to provide additional comment on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[28] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of, and input from commenters with respect to, the proposed rule change's consistency with Section 6(b)(5) of the Act, which require that the rules of a national securities exchange be designed, among other things, to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest; and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.[29]

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the concerns identified above, as well as any other concerns they may have with the proposed rule change. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5)[30] or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval which would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[31]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by July 7, 2014. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by July 21, 2014. The Commission asks that commenters address the sufficiency and merit of the Exchange's statements in support of the proposed rule change, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on the following:

1. What are commenters' views on ISE's proposal to limit directional complex orders from legging into the regular market? Please explain.

a. What are commenters' views on ISE's proposal to prevent legging orders from being generated on behalf of directional complex orders? Please explain.

b. What are commenters' views on ISE's proposal to cancel an auction at the end of the auction's exposure period if an improved net price can be achieved from bids and offers for the individual legs of a directional complex during an auction? Please explain.

2. Do commenters agree with ISE's assertion that complex orders with two options legs where both legs are buying or both legs are selling and both legs are calls or both legs are puts and complex orders with three options legs where all legs are buying or all are selling, regardless of whether the options are calls or puts, are not traditional complex order strategies used by retail or professional investors? Why or why not? Do commenters agree with ISE's assertion that such complex orders are primarily geared towards an aggressive directional capture of volatility? Why or why not?

3. According to the Exchange, to account for the additional risk presented by the execution of directional complex orders, market makers in the regular market may change their trading behavior by widening quotes. Do commenters agree with ISE's assertion that market makers in the regular market would alter their trading behavior by widening their quotes to account for the risk presented by the execution of directional complex orders? Why or why not? Are market makers currently altering their trading behavior in such a manner? Please explain, and, to the extent possible, provide supporting data.

[21] *See id.*

[22] *See id.*

[23] *See id.*

[24] *See* Notice, supra note 3, at 14565. ISE notes that the number of directional complex orders is small relative to the total number of complex orders executed on the Exchange on a given day. *See id.*

[25] *See id.*

[26] *See id.*

[27] 15 U.S.C. 78s(b)(2)(B).

[28] *Id.* Section 19(b)(2)(B) of the Exchange Act also provides that proceedings to determine whether to disapprove a proposed rule change must be concluded within 180 days of the date of publication of notice of the filing of the proposed rule change. *See id.* The time for conclusion of the proceedings may be extended for up to 60 days if the Commission finds good cause for such extension and publishes its reasons for so finding. *See id.*

[29] 15 U.S.C. 78f(b)(5).

[30] *Id.*

[31] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Act Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

4. Do commenters agree with ISE's assertion that market makers in the regular market would reduce the size of their quotations across multiple options series in the regular market because they are at risk of executing the cumulative size of their quotations without an opportunity to adjust their quotes? Please explain, and, to the extent possible, provide supporting data.

5. Do commenters agree with ISE's assertion that the execution of directional complex orders could result in artificially large transactions that distort the market for other related instruments, including the underlying security or related options series? Why or why not? Please explain, and, to the extent possible, provide supporting data.

6. According to the Exchange, the proposed rule change is designed to limit a market maker's risk against executions of directional complex orders. Please provide data, if available, showing how the execution of such complex orders against market maker quotes in the regular market affects a market maker's risk exposure.

7. Do commenters agree with ISE's assertion that the number of directional complex orders is small relative to the total number of complex orders executed on ISE on a given day? Why or why not? Please explain, and, to the extent possible, provide supporting data.

8. Do commenters agree with ISE's assertion that the potential risk to market makers in the regular market of allowing directional complex orders to leg into the regular market outweighs the potential benefits of continuing to allow directional complex orders to interact with the regular market? Why or why not? Please explain, and, to the extent possible, provide supporting data.

9. Do commenters agree with ISE's assertion that the proposed rule change would encourage market makers to provide tighter and more liquid markets on the Exchange? Why or why not? Please explain, and, to the extent possible, provide supporting data.

10. Do commenters believe that any potential benefits to investors resulting from ISE's proposal would exceed any benefits of continuing to allow directional complex orders to interact with the regular market? Why or why not? Please explain, and, to the extent possible, provide supporting data.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ISE–2014–10 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–ISE–2014–10. 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 accommodation proposal that are filed with the Commission, and all written communications relating to the accommodation proposal 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 filings also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ISE–2014–10 and should be submitted on or before July 7, 2014. Rebuttal comments should be submitted by July 21, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–13934 Filed 6–13–14; 8:45 am]

BILLING CODE 8011–01–P

[32] 17 CFR 200.30–3(a)(57).

DEPARTMENT OF STATE

[Public Notice: 8765]

Culturally Significant Object Imported for Exhibition Determinations: ''Magna Carta: Cornerstone of Liberty,'' ''Radical Words: From the Magna Carta to the Constitution'' and ''Magna Carta: Muse and Mentor'' Exhibitions

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the object to be included in the exhibition ''Magna Carta: Cornerstone of Liberty'' at the Museum of Fine Arts; the exhibition ''Radical Words: From the Magna Carta to the Constitution'' at the Sterling and Francine Clark Art Institute, and exhibition ''Magna Carta: Muse and Mentor'' at the Library of Congress, imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at the Museum of Fine Arts, Boston, MA, from on or about July 2, 2014, until on or about September 1, 2014; the Sterling and Francine Clark Art Institute, Williamstown, MA, from on or about September 6, 2014, until November 2, 2014, and the Library of Congress, Washington, DC, from November 6, 2014, until on or about January 19, 2015, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit object, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6467). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: June 9, 2014.

Kelly Keiderling,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2014–14053 Filed 6–13–14; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending May 24, 2014

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: DOT–OST–1996–2008.

Date Filed: May 21, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 11, 2014.

Description: Application of China Southern Airlines Company Limited (''China Southern '') requesting exemption authority and an amended foreign air carrier permit authorizing China Southern to engage in scheduled foreign air transportation of persons, property and mail between Guangzhou, People's Republic of China and New York, NY.

Docket Number: DOT- OST–2014–0080.

Date Filed: May 22, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 12, 2014.

Description: Application of Eurofly Service S.p.A. (''Eurofly Service'') requesting a foreign air carrier permit to the full extent authorized by the Air Transport Agreement between the United States and the European Community and the Member States of the European Community to enable it to engage in: (i) Charter foreign air transportation of persons and property from any point or points behind any Member State of the European Union via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond; (ii) foreign charter air transportation of persons and property between any point or points in the United States and any point or points in any member of the European Common Aviation Area; (iii) charter transportation consistent with any future, additional rights that may be granted to foreign air carriers of the Member States of the European Union; (iv) other charter services pursuant to the prior approval requirements. Eurofly Service further requests exemption authority to the extent necessary to enable it to provide the services described above pending issuance of a foreign air carrier permit and such additional or other relief as the Department may deem necessary or appropriate.

Cheryl F. Collins,

Docket Manager, Docket Operations, Federal Register Liaison.

[FR Doc. 2014–13984 Filed 6–13–14; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending May 31, 2014

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 et. seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: DOT–OST–2014–0085.

Date Filed: May 27, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 17, 2014.

Description: Hyperion Aviation Ltd (''Hyperion'') requesting issuance of an exemption and a foreign air carrier permit authorizing Hyperion to engage in: (i) Foreign charter air transportation of persons, property and mail from any point or points behind any Member State of the European Union, via any point or points in any EU Member State and via intermediate points, to any point or points in the United States and beyond; (ii) foreign charter air transportation of persons, property and mail between any point or points in the United States and any point or points in any member of the European Common Aviation Area; (iii) foreign charter air transportation of cargo between any point or points in the United States and any other point or points; (iv) other charters pursuant to the prior approval requirements set forth in the Department's regulations governing charters; and (v) charter transportation authorized by any additional route rights made available to European Union carriers in the future, to the extent permitted by Hyperion's homeland license on file with the Department.

Docket Number: DOT–OST–2014–0087.

Date Filed: May 28, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 18, 2014.

Description: Application of United Airlines, Inc. (''United'') requesting an exemption, a certificate of public convenience and necessity, and allocation of two weekly U.S.-China frequencies to permit United to provide twice-weekly scheduled foreign air transportation of persons, property and mail between Guam and Shanghai, People's Republic of China.

Cheryl F. Collins,

Dockets Manager, Docket Operations, Federal Register Liaison.

[FR Doc. 2014–13985 Filed 6–13–14; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Monthly Notice of PFC Approvals and Disapprovals. In May 2014, there were six applications approved. This notice also includes information on one application, approved in April 2014, inadvertently left off the April 2014 notice. Additionally, five approved amendments to previously approved applications are listed.

SUMMARY: The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. No. 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This notice is published pursuant to paragraph d of § 158.29.

PFC Applications Approved

Public Agency: Counties of Lackawanna and Luzerne, Avoca, Pennsylvania.

Application Number: 14–11–C–00–AVP.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved In This Decision: $657,718.

Earliest Charge Effective Date: July 1, 2031.

Estimated Charge Expiration Date: July 1, 2033.

Class Of Air Carriers Not Required To Collect PFC'S: None.

Brief Description Of Project Approved For Collection And Use: Taxiway B extension (environmental assessment, design, and construct).

Decision Date: April 29, 2014.

FOR FURTHER INFORMATION CONTACT: Lori Ledebohm, Harrisburg Airports District Office, (717) 730–2835.

Public Agency: City of Bismarck, North Dakota.

Application Number: 14–06–C–00–BIS.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved In This Decision: $3,338,878.

Earliest Charge Effective Date: February 1, 2022.

Estimated Charge Expiration Date: June 1, 2025.

Class Of Air Carriers Not Required To Collect PFC'S: Non-scheduled/on-demand air carriers filing FAA Form 1800–31.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Bismarck Municipal Airport.

Brief Description Of Projects Approved For Collection And Use:

Acquire snow removal equipment—plow #1.

PFC application preparation.

Commercial service cooling tower.

Rehabilitate and expand cargo apron.

Reconstruct commercial service apron (includes portion of taxiway C).

Construct north electrical building.

Rehabilitate taxiway C—south of commercial apron.

Rehabilitate taxiway D—rejuvenator.

Rejuvenate service roads.

Acquire passenger loading stairs (portable).

Rehabilitate portion of runway 13/31 (mill and patch).

Environmental assessment—general aviation expansion.

Reconstruct and realignment of taxiway B.

Wildlife hazard assessment.

Corporate Circle Street extension.

Acquire snow removal equipment—plow #2.

Snow removal equipment building ramp rehabilitation.

Rehabilitation of jet bridge 1.

General aviation apron rehabilitation.

North general aviation apron expansion.

Brief Description Of Project Partially Approved For Collection And Use: Acquire aircraft rescue and firefighting vehicle.

Determination: Two components, a foam trailer and a hand held thermal imaging camera did not meet the requirements of § 158.15(b) and were not approved.

Decision Date: May 7, 2014.

FOR FURTHER INFORMATION CONTACT: Nancy Nistler, Bismarck Airports District Office, (612) 253–4638.

Public Agency: City of Abilene, Texas.

Application Number: 14–03–C–00–ABI.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved In This Decision: $3,425,497.

Earliest Charge Effective Date: July 1, 2014.

Estimated Charge Expiration Date: March 1, 2024.

Class Of Air Carriers Not Required To Collect PFC'S: None.

Brief Description Of Projects Approved For Collection And Use:

Rehabilitate air carrier ramp.

Rehabilitate runway 17L/35R lighting.

Improve terminal building.

Rehabilitate taxilane.

Acquire 1,500 gallon aircraft rescue and firefighting vehicle.

Conduct wildlife hazard assessment and wildlife hazard management plan.

Rehabilitate taxiways C, C1, C2, C3, and EASI.

Rehabilitate airport beacon.

Rehabilitate taxiways M, N, and P.

Runway 17L/35R rehabilitation, design.

Brief Description Of Project Partially Approved For Collection And Use: PFC administration costs.

Determination. Partially approved. Two components of the project were determined not to meet the requirements of § 158.3, *Definitions,* ''PFC administrative support costs,'' and were not approved.

Decision Date: May 9, 2014.

FOR FURTHER INFORMATION CONTACT: Julieann Dwyer, Southwest Region Airports Division, (817) 222–5612.

Public Agency: Delaware River and Bay Authority, New Castle, Delaware.

Application Number: 14–01–C–00–ILG.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved In This Decision: $1,810,089.

Earliest Charge Effective Date: July 1, 2014.

Estimated Charge Expiration Date: May 1, 2017.

Class Of Air Carriers Not Required To Collect PFC'S: None.

Brief Description Of Projects Approved For Collection And Use:

Rehabilitate runway 9/27.

Improve runway 1/19 runway safety area.

Extend taxiway H.

Security enhancements, phase II.

Acquire snow removal equipment—high-speed blower and dump truck with plow.

Master plan study—update terminal area plan.

PFC application and administration.

Rehabilitate runway 1/19.

Improve runway 19 safety area.

Remove obstructions—off airport.

Acquire snow removal equipment—dump truck with snow plow.

Rehabilitate runway 1/19 (environmental assessment and design).

Improve taxiways B and E (design).

Expand terminal apron—phase I (design).

Extend taxiway D.

Extend/widen taxiway F and associated connector taxiways.

Construct taxiway L.

Rehabilitate terminal building.

Improve runway 9/27 runway safety area.

Rehabilitate taxiway M (design) and construct taxiway K–4 (design).

Rehabilitate taxiway A—phase I (design).

Install airfield electrical vault.

Decision Date: May 15, 2014.

FOR FURTHER INFORMATION CONTACT: Lori Ledebohm, Harrisburg Airports District Office, (717) 730–2835.

Public Agency: Southeast Iowa Regional Airport Authority, Burlington, Iowa.

Application Number: 14–02–C–00–BRL.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved In This Decision: $420,485.

Earliest Charge Effective Date: February 1, 2021.

Estimated Charge Expiration Date: June 1, 2035.

Class Of Air Carriers Not Required To Collect PFC'S: None.

Brief Description Of Projects Approved For Collection And Use:

Rehabilitate taxiway A.

Rehabilitate runway 18/36 part I.

Rehabilitate taxiway C part I.

Security enhancements.

Rehabilitate runway 18/36 part II.

Acquire aircraft rescue and firefighting vehicle.

Update airport master plan study.

Acquire aircraft rescue and firefighting vehicle part I.

Acquire aircraft rescue and firefighting vehicle part II.

Rehabilitate taxiway—pavement markings.

Rehabilitate taxiway design.

Rehabilitate taxiway construct.

Rehabilitate apron.

Acquire land for approaches.

Decision Date: May 20, 2014.

FOR FURTHER INFORMATION CONTACT: Sheila Bridges, Central Region Airports Division, (816) 329–2638.

Public Agency: County of Tompkins, Ithaca, New York.

Application Number: 14–03–C–00–ITH.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved In This Decision: $677,500.

Earliest Charge Effective Date: May 1, 2016.

Estimated Charge Expiration Date: February 1, 2018.

Class Of Air Carriers Not Required To Collect PFC'S: Nonscheduled/on-demand air taxi/commercial operators filing FAA Form 1800–31.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Ithaca Tompkins Regional Airport.

Brief Description Of Projects Approved For Collection And Use:

Terminal building security improvements.

Runway overlay (design).

Terminal apron expansion construction and inspection.

Aircraft rescue and firefighting vehicle.

Snow removal equipment.

PFC administrative costs.

Decision Date: May 23, 2014.

FOR FURTHER INFORMATION CONTACT: Ryan Allen, New York Airports District Office, (718) 995–5790.

Public Agency: Nantucket Airport Commission, Nantucket, Massachusetts.

Application Number: 14–01–C–00–ACK.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved In This Decision: $6,942,081.

Earliest Charge Effective Date: July 1, 2014.

Estimated Charge Expiration Date: May 1, 2024.

Class Of Air Carriers Not Required To Collect PFC'S: Air taxi/commercial operators.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Nantucket Memorial Airport.

Brief Description Of Projects Approved For Collection And Use:

Passenger terminal building renovation and expansion.

Re-align and widen south apron taxiway connector.

Airport master plan.

PFC program administration.

Decision Date: May 28, 2014.

FOR FURTHER INFORMATION CONTACT: Priscilla Scott, New England Region Airports Division, (781) 238–7614.

AMENDMENT TO PFC APPROVALS

Amendment No. City, State	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
12–08–C–01–PSC, Pasco, WA	05/01/14	$3,865,000	$865,000	02/01/18	10/01/12
13–09–C–01–PSC, Pasco, WA	05/01/14	$7,140,000	$138,562	08/01/23	01/01/13
10–12–C–02–ATL, Atlanta, GA	05/08/14	$19,332,000	$18,828,980	09/01/22	09/01/22
91–01–C–01–TVL, South Lake Tahoe, CA	05/14/14	$928,747	$169,838	03/01/07	03/01/07
04–03–C–03–MFE, McAllen, TX	05/21/14	$6,133,439	$224,556	10/01/10	10/01/10

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

Joe Hebert,

Manager, Financial Analysis and Passenger Facility Charge Branch.

[FR Doc. 2014–14051 Filed 6–13–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2014–0014]

Pipeline Safety: Public Workshop on Pipeline Safety Management Systems

AGENCY: Pipeline and Hazardous Materials Safety Administration, DOT.

ACTION: Notice of public workshop.

SUMMARY: This notice is announcing a one-day public workshop to discuss an emerging Pipeline Safety Management Systems (PSMS) national consensus standard. The workshop will include participation from all major pipeline sectors, state and Federal regulators, the National Transportation Safety Board, and public safety advocates. This workshop will translate the concepts explored in the first PSMS workshop by detailing how those concepts are advanced in the emerging standard.

DATES: The public workshop will be held on Wednesday, July 2, 2014, from 9:00 a.m. to 5:00 p.m. EST. Written comments must be received by August 15, 2014.

ADDRESSES: The workshop will be held at the Westin Alexandria, 400 Courthouse Square, Alexandria, VA 22314, in the Edison rooms ABCD.

Hotel reservations under the ''United States Department of Transportation—SMS Workshop'' room block, can be made at 703–253–8600.

The meeting agenda and any additional information will be published on the PHMSA home page Web site at (*http://www.phmsa.dot.gov/pipeline*), and on the PHMSA meeting page Web site *https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=99.*

Registration: Members of the public may attend this free workshop. To help assure that adequate space is provided, all attendees should register for the workshop in advance at *https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=99.*

Comments: Members of the public may also submit written comments either before or after the workshop. Comments should reference Docket No. PHMSA–2014–0014. Comments may be submitted in the following ways:

- *E-Gov Web site: http://www.regulations.gov.* This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management System, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590.

Hand Delivery: DOT Docket Management System, Room W12–140, on the ground floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Instructions: Identify the docket number at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA has received your comments, include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov.*

Note: Comments will be posted without changes or edits to *http://www.regulations.gov* including any personal information provided. Please see the Privacy Act Statement heading below for additional information.

Privacy Act Statement

Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000 (65 FR 19476).

Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, please contact Nancy White, Office of Pipeline Safety, at 202–366–1419 or by email at *nancy.white@dot.gov.*

FOR FURTHER INFORMATION CONTACT: Ms. Nancy White, Office of Pipeline Safety, at 202–366–1419 or by email at *nancy.white@dot.gov,* regarding the subject matter of this notice.

SUPPLEMENTARY INFORMATION: This one-day public workshop will be to discuss an emerging Pipeline Safety Management Systems (PSMS) national consensus standard. The workshop will include participation from all major pipeline sectors, state and Federal regulators, the National Transportation Safety Board, and public safety advocates. A PSMS is a formal framework for a pipeline operator to monitor, measure and improve pipeline safety performance continuously over time and ensure that senior company management is actively fostering a safety culture throughout its operations. This workshop will translate the concepts explored in the first PSMS workshop by detailing how those concepts are advanced in the emerging standard.

The details on this workshop, including the location, times, and agenda items, will be available on the meeting page (*https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=99*) as they become available. Please note that the public workshop will be webcast. Attendees, both in person and by webcast, are strongly encouraged to register to help ensure accommodations are adequate.

Presentations will be available online at the registration page and also be posted in the E-Gov Web site: *http://www.regulations.gov,* at docket number PHMSA–2014–0014 within 30 days following the workshop.

Authority: 49 CFR 1.97.

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

Alan K. Mayberry,

Deputy Associate Administrator for Policy and Programs.

[FR Doc. 2014–14001 Filed 6–13–14; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35756]

Hartwell Railroad Company—Construction of Connecting Track Exemption—in Elbert County, Ga.

Hartwell Railroad Company (Hartwell), a Class III railroad, has filed a verified notice of exemption under 49 CFR 1150.36 to construct approximately 1,360 feet of connecting track in Elbert County, Ga. (the Line), on land within existing railroad rights-of-way either owned by Hartwell or CSX Transportation, Inc. (CSXT). Hartwell is the proposed operator.

In 1995, Hartwell acquired approximately 48.3 miles of rail line from Norfolk Southern Railway Company (NSR) between Toccoa (milepost P 0.5) and Elberton (milepost 48.80), in Elbert, Franklin, Hart, and Stephens Counties, Ga.[1] At the time of the acquisition, Hartwell interchanged traffic with NSR at Toccoa on the west end of the Toccoa-Elberton Line. However, NSR retained about 1.9 miles of rail line between mileposts P 48.5 and P 50.4 that connected to the east end of the Toccoa-Elberton Line, which segment had been used to effect interchange with CSXT. NSR subsequently abandoned that segment.[2] Consequently, the abandonment severed Hartwell's close access to interchange with CSXT at Elberton, requiring Hartwell to interchange solely with NSR at Toccoa (where access to CSXT was 60 miles to the northeast and about 37 miles to the southwest).

Hartwell seeks to construct the Line to be able to re-establish an interchange between itself and CSXT at Elberton, located on CSXT's main line between Atlanta, Ga., and Greenwood, S.C. Hartwell states that the construction and operation of the Line will permit it to offer competitive alternatives to existing and future shippers on the Toccoa-Elberton Line. Hartwell adds that its customers will also benefit from the ability to use single-line service offered by CSXT to: (1) Reach points served by CSXT that NSR does not serve; and (2) eliminate the inefficiency that would otherwise involve three carriers (Hartwell, NSR, and CSXT) instead of two (Hartwell and CSXT) to reach points served solely by CSXT. Hartwell expects to handle one train per day in

[1] *See Hartwell R.R.—Acquis. & Oper. Exemption—Line of Norfolk S. Ry.,* FD 32675 (ICC served Mar. 31, 1995).

[2] *See Norfolk S. Ry.—Aban. Exemption—in Elberton, Ga.,* AB 290 (Sub-No. 158X) (ICC served Apr. 11, 1995).

each direction over the new connection with CSXT.

In addition, Hartwell states that CSXT will construct a connection between the Line and the Atlanta-Greenwood Line in its right-of-way, and that Hartwell and CSXT have agreed to enter into an interchange agreement.

Construction is proposed to begin no earlier than 90 days after the filing of this notice of exemption.

Hartwell has certified that it has complied with the Board's environmental rules at 49 CFR 1105 and with the pre-filing notice requirements at 49 CFR 1150.36(c)(1).

Pursuant to 49 CFR 1150.36(d), Hartwell states that it has engaged the services of a third-party consultant who has been approved by the Board's Office of Environmental Analysis (OEA) and is acting under OEA's direction and supervision in the preparation of an Environmental Analysis (EA). Hartwell further states that the EA is nearing completion and is anticipated to be completed within the deadline contemplated by 49 CFR 1150.36.

Under 49 CFR 1150.36(c)(3), OEA will generally issue an EA 15 days after publication of the notice of exemption in the **Federal Register** (here by July 1, 2014). However, under 49 CFR 1150.36(c)(10), a stay of the effective date may be issued if an informed decision on environmental issues cannot be made prior to August 25, 2014.[3] Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423–0001) or by calling OEA, at (202) 245–0304. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.] Comments on environmental and historic preservation matters must be filed within 30 days after the EA becomes available to the public.

Upon completion of the environmental review, the Board will issue a decision addressing those matters and making the exemption effective at that time, if appropriate, subject to any necessary conditions, thereby allowing construction to begin.

This exemption will be effective on August 25, 2014, unless stayed. Petitions to stay that do not involve environmental issues must be filed by June 26, 2014. Petitions for reconsideration must be filed by July 7, 2014.

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 transaction.

An original and 10 copies of all pleadings, referring to Docket No. FD 35756, 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 Matthew D. Williams, 2215 Pilgrim Mill Circle, Cumming, GA 30041.

Board decisions and notices are available on our Web site at ''*WWW.STB.DOT.GOV.*''

Decided: June 11, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2014–14025 Filed 6–13–14; 8:45 am]

BILLING CODE 4915–01–P

[3] *See Exemption of Out-of-Service Rail Lines,* 5 I.C.C.2d 377 (1989).

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0166]

Agency Information Collection (Application for Ordinary Life Insurance) 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 16, 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. 2900–0166'' 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. 2900–0166.''

SUPPLEMENTARY INFORMATION:

Titles:

a. Application for Ordinary Life Insurance, Replacement Insurance for Modified Life Reduced at Age 65, National Service Life Insurance, VA Form 29–8485.

b. Application for Ordinary Life Insurance, Replacement Insurance for Modified Life Reduced at Age 70, National Service Life Insurance, VA Form 29–8485a.

c. Application for Ordinary Life Insurance, Replacement Insurance for Modified Life Reduced at Age 65, National Service Life Insurance, VA Form 29–8700.

d. Application for Ordinary Life Insurance, Replacement Insurance for Modified Life Reduced at Age 65, National Service Life Insurance, VA Forms 29–8700a–e.

e. Application for Ordinary Life Insurance, Replacement Insurance for Modified Life Reduced at Age 70, National Service Life Insurance, VA Form 29–8701.

f. Application for Ordinary Life Insurance, Replacement Insurance for Modified Life Reduced at Age 70, National Service Life Insurance, VA Form 29–8701a–e.

OMB Control Number: 2900–0166.

Type of Review: Revision of a currently approved collection.

Abstract: Policyholders use the forms to apply for replacement of Modified Life insurance. Modified Life insurance coverage is reduced automatically by one-half from its present face value on the day before a policyholder's 65th and 70th birthdays. Policyholders who wish to maintain the same amount of coverage must purchase whole life insurance prior to their 65th and 70th birthdays to replace the coverage that will be lost when the Modified Life insurance is reduced.

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 6, 2014, at pages 7285–7286.

Affected Public: Individuals or households.

Estimated Annual Burden: 1,284 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 15,400.

Dated: June 11, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13983 Filed 6–13–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0131]

Agency Information Collection (Request for Supplemental Information on Medical and Nonmedical Applications) 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 16, 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. 2900–0131'' 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. 2900–0131.''

SUPPLEMENTARY INFORMATION:

Title: Request for Supplemental Information on Medical and Nonmedical Applications, VA Form Letter 29–615.

OMB Control Number: 2900–0131.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 29–615 used by the insured to apply for new issue, reinstatement or change of plan on Government Life Insurance policies.

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 79564.

Affected Public: Individuals or households.

Estimated Annual Burden: 3,000 hours.

Estimated Average Burden per Respondent: 20 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 9,000.

Dated: June 11, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13982 Filed 6–13–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0029]

Agency Information Collection (Offer To Purchase and Contract of Sale) 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 16, 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. 2900–0029'' 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. 2900–0029.''

SUPPLEMENTARY INFORMATION:

Titles:

a. Offer to Purchase and Contract of Sale, VA Form 26–6705.

b. Credit Statement of Prospective Purchaser, VA Form 26–6705b.

c. Addendum to VA Form 26–6705 Offer to Purchase and Contract of Sale, VA Form 26–6705d.

OMB Control Number: 2900–0029.

Type of Review: Revision of a currently approved collection.

Abstract:

a. VA Form 26–6705 is completed by private sector sales broker to submit an offer to purchase VA-acquired property on behalf of a prospective buyer. VA Form 26–6705 becomes a contract of sale if VA accepts the offer to purchase. It serves as a receipt for the prospective buyer for his/her earnest money deposit, describes the terms of sale, and eliminates the need for separate transmittal of a purchase offer.

b. VA Form 26–6705b is used as a credit application to determine the prospective buyer creditworthiness in instances when the prospective buyer seeks VA vendee financing. In such sales, the offer to purchase will not be accepted until the buyer's income and credit history have been verified and a loan analysis has been completed.

c. VA Form 26–6705d is an addendum to VA Form 26–6705 for use in the state of Virginia. The forms requires the buyer to be informed of the State's law at or prior to closing the transaction.

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 29, 2014, at page 4814.

Affected Public: Individuals or households.

Estimated Annual Burden:

a. VA Form 26–6705—10,000 hours.

b. VA Form 26–6705b—7,333 hours.

c. VA Form 26–6705d—125 hours.

Estimated Average Burden per Respondent:

a. VA Form 26–6705—20 minutes.
b. VA Form 26–6705b—20 minutes.
c. VA Form 26–6705d—5 minutes.
Frequency of Response: On occasion.
Estimated Number of Total Respondents:
a. VA Form 26–6705—30,000.
b. VA Form 26–6705b—22,000.
c. VA Form 26–6705d—1,500.

Dated: June 11, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13974 Filed 6–13–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0120]

Agency Information Collection (Report of Treatment by Attending Physician) 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 16, 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. 2900–0120'' 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. 2900–0120.''

SUPPLEMENTARY INFORMATION:

Title: Report of Treatment by Attending Physician, VA Form 29–551a.

OMB Control Number: 2900–0120.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 29–551a is used to collect information from attending physician to determine a claimant's eligibility for disability insurance 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 15, 2014, at pages 2752–2753.

Affected Public: Individuals or households.

Estimated Annual Burden: 5,069 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 20,277.

Dated: June 11, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13981 Filed 6–13–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0012]

Proposed Information Collection (Application for Cash Surrender or Policy Loan) 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 determine a claimant's eligibility for a loan or cash surrender value on his or her Government Life Insurance policy.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 15, 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. 2900–0012 in any correspondence. During the comment period, comments may be viewed online through 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. 3501–21), 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.

Titles

a. Application for Cash Surrender, Government Life Insurance, VA Form 29–1546.

b. Application for Policy Loan, Government Life Insurance, 29–1546–1.

OMB Control Number: 2900–0012.

Type of Review: Revision of a currently approved collection.

Abstract: Claimants complete VA Forms 29–1546 and 29–1546–1 to request a cash surrender or policy loan on his or her Government Life Insurance.

Affected Public: Individuals or households.

Estimated Annual Burden: 4,939 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 29,636.

Dated: June 11, 2014.

By direction of the Secretary.

Crystal Rennie,

Department Clearance Officer, Department of Veterans Affairs.

[FR Doc. 2014–13973 Filed 6–13–14; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 79 Monday,

No. 115 June 16, 2014

Part II

The President

Proclamation 9141—World Elder Abuse Awareness Day, 2014

Federal Register
Vol. 79, No. 115
Monday, June 16, 2014

Presidential Documents

Title 3—

The President

Proclamation 9141 of June 11, 2014

World Elder Abuse Awareness Day, 2014

By the President of the United States of America

A Proclamation

Each year, the international community renews its commitment to addressing a human rights issue that too often goes ignored—elder abuse, neglect, and exploitation. Elder abuse damages public health and threatens millions of our parents, grandparents, and friends. It is a crisis that knows no borders or socio-economic lines. On World Elder Abuse Awareness Day, we strengthen our resolve to replace neglect with care and exploitation with respect.

America must lead by example, and my Administration remains dedicated to ending elder abuse, supporting victims, and holding abusers accountable. Under the Affordable Care Act, we enacted the Elder Justice Act. Through this law, the Federal Government has invested in identifying, responding to, and preventing elder abuse, neglect, and exploitation. Because eliminating this pervasive crime requires coordinated action, we are bringing together Federal agencies; non-profit and private sector partners; and State, local, and tribal governments. Together, we can build a more responsive criminal justice system, give seniors the tools to avoid financial scams, and determine the best ways to prevent elder abuse before it starts.

Seniors have provided for their families, risen to the challenges of their times, and built ladders of opportunity for future generations. Many have served our Nation with honor. After decades of hard work, they have earned the right to enjoy their retirement years with a basic sense of security. Today, let us join with partners around the globe in declaring that we will not fail the men and women who raised us, sacrificed for us, and shaped our world.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 15, 2014, as World Elder Abuse Awareness Day. I call upon all Americans to observe this day by learning the signs of elder abuse, neglect, and exploitation, and by raising awareness about this growing public health issue.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

[FR Doc. 2014–14210
Filed 6–13–14; 11:15 am]
Billing code 3295–F4

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Federal Register

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Monday, June 16, 2014

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