AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 80 Wednesday,
No. 165 August 26, 2015

Pages 51723–51934

OFFICE OF THE FEDERAL REGISTER

The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see *www.ofr.gov.*

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge at *www.fdsys.gov*, a service of the U.S. Government Publishing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6:00 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, 1 (January 2, 1994) forward. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800 or 866-512-1800 (toll free). E-mail, *gpocusthelp.com.*

The annual subscription price for the **Federal Register** paper edition is $749 plus postage, or $808, plus postage, for a combined **Federal Register, Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is $165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register,** including postage, is based on the number of pages: $11 for an issue containing less than 200 pages; $22 for an issue containing 200 to 400 pages; and $33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for $3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Publishing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see *bookstore.gpo.gov.*

There are no restrictions on the republication of material appearing in the **Federal Register.**

How To Cite This Publication: Use the volume number and the page number. Example: 80 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Publishing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	**202–512–1800**
Assistance with public subscriptions	**202–512–1806**
General online information	**202–512–1530; 1–888–293–6498**

Single copies/back copies:

Paper or fiche	**202–512–1800**
Assistance with public single copies	**1–866–512–1800 (Toll-Free)**

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:

Email	*FRSubscriptions@nara.gov*
Phone	**202–741–6000**

Printed on recycled paper.

Contents

Federal Register

Vol. 80, No. 165

Wednesday, August 26, 2015

Agriculture Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 51765–51766

Bureau of Safety and Environmental Enforcement
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Global Positioning Systems for Mobile Offshore Drilling Units NTL, 51841–51842
Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line, 51838–51840

Census Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Boundary and Annexation Survey, 51766–51768

Centers for Disease Control and Prevention
NOTICES
Fees for Sanitation Inspections of Cruise Ships, 51819–51820
Reporting of Pregnancy Success Rates from Assisted Reproductive Technology Programs, 51811–51819

Children and Families Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 51820

Commerce Department
See Census Bureau
See Industry and Security Bureau
See International Trade Administration
See National Oceanic and Atmospheric Administration

Defense Acquisition Regulations System
RULES
Defense Federal Acquisition Regulation Supplements:
Acquisition of the American Flag, 51748–51749
Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the U.S., 51752–51754
Contracts or Delivery Orders Issued by a Non-DoD Agency, 51750–51751
Item Unique Identification Prescription Correction, 51750
Network Penetration Reporting and Contracting for Cloud Services, 51739–51748
Use of Military Construction Funds, 51751–51752

Defense Department
See Defense Acquisition Regulations System
See Engineers Corps
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 51788–51789
TRICARE:
Continued Health Care Benefit Program Premium Update, 51789

Employment and Training Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers Report, 51843–51844

Energy Department
See Federal Energy Regulatory Commission
See Western Area Power Administration
PROPOSED RULES
Energy Efficiency Program for Commercial and Industrial Equipment:
Meetings—Fans and Blowers Working Group, 51759
NOTICES
Applications to Export Liquefied Natural Gas:
Corpus Christi Liquefaction, LLC, 51790–51792
Port Arthur LNG, LLC, 51795–51797
Sabine Pass Liquefaction, LLC, 51792–51793
Strom, Inc., 51793–51794
Meetings:
President's Council of Advisors on Science and Technology, 51794–51795

Engineers Corps
NOTICES
Environmental Impact Statements; Availability, etc.:
Lower Cache Creek Flood Risk Management Project, Woodland, Yolo County, CA, 51789–51790

Environmental Protection Agency
RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
Illinois; Disapproval of State Board Infrastructure SIP Requirements for the 2006 PM2.5 and 2008 Ozone NAAQS, 51730–51732
Pesticide Tolerances:
Difenoconazole, 51732–51739
PROPOSED RULES
Petitions:
Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various, 51759–51763
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Microbial Rules, 51805–51806
Unregulated Contaminant Monitoring in Public Water Systems, 51804–51805
Ambient Air Monitoring Reference and Equivalent Methods:
Designation of a Two New Equivalent Methods, 51802–51803
CERCLA Administrative Cost Recovery Settlements:
Bennington, VT, Former Kocher Drive Dump Site, Bennington, Vermont, 51803
Meetings:
National Environmental Justice Advisory Council, 51803–51804

Farm Credit Administration
NOTICES
Equal Employment Opportunity and Diversity, 51806–51807

Federal Aviation Administration
RULES
Special Conditions:
Bombardier Inc., Model BD–100–1A10 Airplane; Installed Rechargeable Lithium Batteries and Battery Systems, 51723–51725
NOTICES
Meetings:
RTCA Special Committee 147 (SC 147) Minimum Operational Performance Standards for Aircraft Collision Avoidance Systems, 51867
RTCA Special Committee 222 (SC 222) AMS(R)S, Joint Meeting with EUROCAE WG–82, 51865–51866
RTCA Special Committee 224 (SC 224) Airport Security Access Control Systems, 51866
Request to Change Airport Property from Aeronautical Use to Non-Aeronautical Use:
Williamsport Regional Airport, Montoursville, PA, 51866–51867

Federal Energy Regulatory Commission
NOTICES
Combined Filings, 51797–51800
Petitions for Declaratory Orders:
Enterprise TE Products Pipeline Co., LLC, 51798

Federal Highway Administration
NOTICES
Federal Agency Actions:
California; Proposed Highway, 51867–51868

Federal Maritime Commission
NOTICES
Agreements Filed, 51807

Federal Railroad Administration
NOTICES
Safety Advisory:
Ballast Defects and Conditions; Importance of Identification and Repair in Preventing Development of Unsafe Combinations of Track Conditions, 51868–51870

Federal Trade Commission
NOTICES
Proposed Consent Orders:
Par Pharmaceutical, Inc. and Concordia Pharmaceuticals, Inc., 51807–51810

Fish and Wildlife Service
RULES
2015–2016 Refuge-Specific Hunting and Sport Fishing Regulations, 51878–51934
PROPOSED RULES
Endangered and Threatened Species:
Green Sea Turtles (Chelonia mydas); Identification and Listing of Eleven Distinct Population Segments as Endangered or Threatened and Revision of Current Listings, 51763–51764
NOTICES
Endangered Species Recovery Permit Applications, 51829–51830
Meetings:
Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora; Taxa Being Considered for Amendments to the CITES Appendices, 51830–51834
Trinity River Adaptive Management Working Group, 51829
Permit Applications:
Proposed Joint Programmatic Candidate Conversion Agreement with Assurances and Safe Harbor Agreement in Saline, Caddo, and Ouachita River Headwaters Watersheds, AR, 51834–51835

Food and Drug Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Medical Device Reporting — Manufacturer, Importer, User Facility, and Distributor Reporting, 51820–51822
Guidance:
Request for Quality Metrics, 51822–51823
Meetings:
In Vitro Diagnostic Testing for Direct Oral Anticoagulants; Public Workshop, 51823–51824

Foreign Assets Control Office
NOTICES
Blocking or Unblocking of Persons and Properties, 51871–51872

General Services Administration
NOTICES
Federal Management Regulations:
Improved Management of Undeliverable-as-Addressed Mail, 51810
Meetings:
Commission to Eliminate Child Abuse and Neglect Fatalities, 51811

Health and Human Services Department
See Centers for Disease Control and Prevention
See Children and Families Administration
See Food and Drug Administration
See Indian Health Service
See National Institutes of Health

Homeland Security Department
NOTICES
Meetings:
National Infrastructure Advisory Council, 51828–51829

Indian Affairs Bureau
NOTICES
Approval of Squaxin Island Tribe Regulations, 51835–51836
Approval of the Makah Indian Reservation Regulations, 51836–51837

Indian Health Service
NOTICES
Meetings:
American Indian/Alaska Native Lesbian, Gay, Bisexual, and Transgender Health Issues, 51824–51825

Industry and Security Bureau
RULES
Export Administration Regulations:
Removal of Special Comprehensive License Provisions, 51725–51730

Interior Department
See Bureau of Safety and Environmental Enforcement
See Fish and Wildlife Service
See Indian Affairs Bureau
See Land Management Bureau

Internal Revenue Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 51872–51875
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Tools Relating to the Offshore Voluntary Disclosure Program; Correction, 51874–51875

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Boltless Steel Shelving Unites Prepackaged for Sale from the People's Republic of China, 51775–51777
Calcium Hypochlorite from the People's Republic of China, 51774–51775
Purified Carboxymethylcellulose from Finland, 51782–51783
Determinations of Sales at Less Than Fair Value:
Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China, 51779–51782
Certain Uncoated Paper from Australia, 51783–51786
Certain Uncoated Paper from Indonesia, 51771–51774
Certain Uncoated Paper from Portugal, 51777–51779
Certain Uncoated Paper from the People's Republic of China, 51768–51771

International Trade Commission
NOTICES
Complaints:
Certain Document Cameras and Software for Use Therewith, 51842–51843

Labor Department
See Employment and Training Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Blasting and the Use of Explosives, 51844–51845
Meetings:
Advisory Committee on Veterans' Employment, Training and Employer Outreach, 51845–51846
Senior Executive Service Performance Review Board, 51846

Land Management Bureau
NOTICES
Meetings:
Idaho Falls District Resource Advisory Council, 51837–51838

National Institutes of Health
NOTICES
Best Pharmaceuticals for Children Act Priority List of Needs in Pediatric Therapeutics, 51827–51828
Meetings:
Center for Scientific Review, 51825, 51827
National Cancer Institute, 51825–51826
National Institute on Aging, 51826
National Institute on Deafness and Other Communication Disorders, 51825

National Oceanic and Atmospheric Administration
RULES
Fisheries of the Exclusive Economic Zone Off Alaska:
Pacific Cod in the Bering Sea and Aleutian Islands Management Area, 51758
Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area, 51757
Fisheries of the Northeastern United States:
Omnibus Amendment to Simplify Vessel Baselines, 51754–51757
PROPOSED RULES
Endangered and Threatened Species:
Green Sea Turtles (Chelonia mydas); Identification and Listing of Eleven Distinct Population Segments as Endangered or Threatened and Revision of Current Listings, 51763–51764
NOTICES
Environmental Impact Statements; Availability, etc.:
Monterey Peninsula Water Study, 51787–51788
NOAA Fisheries Climate Science Strategy, 51786–51787

Nuclear Regulatory Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Policy Statement on Cooperation with States at Commercial Nuclear Power Plants and other Nuclear Production and Utilization Facilities, 51847–51848
Meetings:
Advisory Committee on Reactor Safeguards, 51848–51849
Advisory Committee on Reactor Safeguards Subcommittee on Future Plant Designs, 51849
Advisory Committee on Reactor Safeguards Subcommittee on Planning and Procedures, 51846–51847

Pipeline and Hazardous Materials Safety Administration
NOTICES
Special Permit Applications, 51870–51871

Securities and Exchange Commission
NOTICES
Self-Regulatory Organizations; Proposed Rule Changes:
EDGA Exchange, Inc., 51855–51858
EDGX Exchange, Inc., 51852–51855
The NASDAQ Stock Market, LLC, 51850–51852

Small Business Administration
NOTICES
Disaster Declarations:
Indiana, 51859
Missouri, 51858
Nebraska, 51859
Virginia, 51858

State Department
NOTICES
Charter Renewals:
Foreign Affairs Policy Board, 51861
International Security Advisory Board, 51860
Culturally Significant Objects Imported for Exhibition:
Pearls on a String—Artists, Patrons, and Poets at the Great Islamic Courts, 51860

Photo-Poetics—An Anthology, 51859–51860
Vatican Splendors, 51863–51864
Meetings:
Advisory Committee on Private International Law, 51864
Cultural Property Advisory Committee, 51862–51863
Memorandum of Understanding with Colombia Concerning the Importation of Artifacts, 51860–51861
Presidential Permits:
Plains Pipeline, LP, 51861–51862
Specially Designated Global Terrorists:
Abdul Aziz Haqqani, 51860
Sajid Mohammad Badat, 51861

Tennessee Valley Authority
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 51864–51865

Transportation Department
See Federal Aviation Administration
See Federal Highway Administration
See Federal Railroad Administration
See Pipeline and Hazardous Materials Safety Administration

Treasury Department
See Foreign Assets Control Office
See Internal Revenue Service
NOTICES
Delegations of Authority, 51875–51876

Western Area Power Administration
NOTICES
Records of Decisions:
Great Plains Wind Energy Final Programmatic Environmental Impact Statement, 51800–51802

Separate Parts In This Issue

Part II
Interior Department, Fish and Wildlife Service, 51878–51934

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to http://listserv.access.gpo.gov and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

10 CFR

Proposed Rules:

430 51759

14 CFR

25 51723

15 CFR

730 51725
732 51725
738 51725
743 51725
748 51725
752 51725
762 51725
772 51725
774 51725

40 CFR

52 51730
180 51732

Proposed Rules:

180 51759

48 CFR

202 51739
204 51739
205 51748
211 51750
212 (2 documents) 51739, 51748
217 51750
225 (3 documents) 51748, 51751, 51752
236 51751
239 51739
252 (3 documents) 51739, 51748, 51752

50 CFR

32 51878
648 51754
679 (2 documents) 51757, 51758

Proposed Rules:

17 51763
223 51763
224 51763

Rules and Regulations

Federal Register

Vol. 80, No. 165

Wednesday, August 26, 2015

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

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2015–3463; Special Conditions No. 25–590–SC]

Special Conditions: Bombardier Inc., Model BD–100–1A10 Airplane; Installed Rechargeable Lithium Batteries and Battery Systems

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Bombardier Inc. Model BD–100–1A10 airplane. This airplane, as modified by S4A, Solutions for Aviation, S.L., will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. This design feature is the installation of an Aspire 200 satellite communications (satcom) system with wireless handsets that use rechargeable lithium batteries and battery systems. Rechargeable lithium batteries and battery systems have certain failure, operational, and maintenance characteristics that differ significantly from those of the nickel-cadmium and lead-acid rechargeable batteries currently approved for installation on transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for these design features. 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: This action is effective on Bombardier Inc. on August 26, 2015. We must receive your comments by September 25, 2015.

ADDRESSES: Send comments identified by docket number FAA–2015–3463 using any of the following methods:

- *Federal eRegulations Portal:* Go to *http://www.regulations.gov/* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

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

Docket: Background documents or comments received may be read at *http://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nazih Khaouly, FAA, Airplane and Flight Crew Interface Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone 425–227–2432; facsimile 425–227–1149.

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

Comments Invited

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

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

Background

On June 18, 2014, S4A, Solutions for Aviation, S.L. applied for a supplemental type certificate to install an Aspire 200 satcom system with wireless handsets in the Bombardier Model BD–100–1A10 airplane (known as the ''Challenger 300''). The BD–100–1A10 airplane is a corporate jet with an eight-passenger and two-crew capacity. It is equipped with two, rear-mounted Honeywell HTF7000 turbofan engines and has a maximum takeoff weight of 38,850 lb/17,622 kg.

Type Certification Basis

Under the provisions of Title 14, Code of Federal Regulations (14 CFR) 21.101, S4A, Solutions for Aviation, S.L. must show that the BD–100–1A10 airplane, as changed, continues to meet the regulations listed in T00005NY or the applicable regulations in effect on the date of application for the change except for earlier amendments as agreed upon by the FAA.

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 BD–100–1A10 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the applicant apply for a supplemental type certificate to modify any other model included on the same type certificate to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the BD–100–1A10 airplane must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

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

Novel or Unusual Design Features

The BD–100–1A10 airplane will incorporate the following novel or unusual design feature: The installation of an Aspire 200 satcom system with wireless handsets that will use rechargeable lithium batteries and battery systems. Rechargeable lithium batteries and battery systems that have certain failure, operational, and maintenance characteristics that differ significantly from those of the nickel-cadmium and lead-acid rechargeable batteries currently approved for installation on large, transport category airplanes.

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.

Discussion

The current regulations governing installation of batteries in large, transport category airplanes were derived from Civil Air Regulations (CAR) part 4b.625(d) as part of the recodification of CAR 4b that established part 25 in February 1965. The recodified battery requirements, § 25.1353(c)(1) through (c)(4), basically reworded the CAR requirements.

Increased use of nickel-cadmium batteries in small airplanes resulted in increased incidents of battery fires and failures that led to additional rulemaking affecting large, transport category airplanes as well as small airplanes. On September 1, 1977, and March 1, 1978, with Amendments 25–41 and 25–42 respectively, the FAA added paragraphs (c)(5) and (c)(6) to § 25.1353 governing nickel-cadmium battery installations on large, transport category airplanes. On December 10, 2007, Amendment 25–123 moved the contents of paragraph (b) in § 25.1353 to the new subpart H, resulting in the relocation of the regulations governing the installation of batteries in § 25.1353 from paragraph (c) to paragraph (b).

The use of rechargeable lithium batteries for equipment and systems prompted the FAA to review the adequacy of these existing regulations. Our review indicated that the existing regulations do not adequately address several failure, operational, and maintenance characteristics of rechargeable lithium batteries that could affect the safety and reliability of the Bombardier BD–100–1A10 lithium battery installations.

At present, there is limited experience with the use of lithium batteries in applications involving commercial aviation. However, other users of this technology, ranging from wireless telephone manufacturers to the electric vehicle industry, have noted safety problems with lithium batteries. These problems include overcharging, over-discharging, and flammability of cell components.

1. Overcharging

In general, lithium batteries are significantly more susceptible to internal failures that can result in self-sustaining increases in temperature and pressure (*i.e.,* thermal runaway) than their nickel-cadmium or lead-acid counterparts. This condition is especially true for overcharging, which causes heating and destabilization of the components of the cell, leading to the formation (by plating) of highly unstable metallic lithium. The metallic lithium can ignite, resulting in a self-sustaining fire or explosion. Finally, the severity of thermal runaway due to overcharging increases with increasing battery capacity due to the higher amount of electrolyte in large batteries.

2. Over-Discharging

Discharge of some types of lithium battery cells beyond a certain voltage (typically 2.4 volts), can cause corrosion of the electrodes of the cell, resulting in loss of battery capacity that cannot be reversed by recharging. This loss of capacity may not be detected by the simple voltage measurements commonly available to flightcrews as a means of checking battery status—a problem shared with nickel-cadmium batteries.

3. Flammability of Cell Components

Unlike nickel-cadmium and lead-acid batteries, some types of lithium batteries use liquid electrolytes that are flammable. The electrolyte can serve as a source of fuel for an external fire, if there is a breach of the battery container.

These problems experienced by users of lithium batteries raise concern about the use of these batteries in commercial aviation. The intent of these special conditions is to establish appropriate airworthiness standards for lithium battery installations in the BD–100–1A10 airplane and to ensure, as required by §§ 25.601, that these battery installations are not hazardous or unreliable.

Applicability

As discussed above, these special conditions are applicable to the Model No. BD–100–1A10 airplane. Should S4A, Solutions for Aviation, S.L. apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. T00005NY to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well.

Conclusion

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

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

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

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

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Bombardier BD–100–1A10 airplane modified by S4A, Solutions for Aviation, S.L.

In lieu of the requirements of Title 14, Code of Federal Regulations (14 CFR) 25.1353(c)(1) through (c)(4) at Amendment 25–101 for rechargeable lithium batteries and battery systems, all installations must be designed and installed as follows:

1. Safe cell temperatures and pressures must be maintained during any foreseeable charging or discharging condition and during any failure of the charging or battery monitoring system not shown to be extremely remote. The rechargeable lithium battery installation must preclude explosion in the event of those failures.

2. Design of the rechargeable lithium batteries must preclude the occurrence of self-sustaining, uncontrolled increases in temperature or pressure.

3. No explosive or toxic gases emitted by any rechargeable lithium battery in normal operation, or as the result of any failure of the battery charging system, monitoring system, or battery installation which is not shown to be extremely remote, may accumulate in hazardous quantities within the airplane.

4. Installations of rechargeable lithium batteries must meet the requirements of § 25.863(a) through (d).

5. No corrosive fluids or gases that may escape from any rechargeable lithium battery may damage surrounding structure or any adjacent systems, equipment, or electrical wiring of the airplane in such a way as to cause a major or more severe failure condition, in accordance with § 25.1309(b) and applicable regulatory guidance.

6. Each rechargeable lithium battery installation must have provisions to prevent any hazardous effect on structure or essential systems caused by the maximum amount of heat the battery can generate during a short circuit of the battery or of its individual cells.

7. Lithium battery installations must have a system to control the charging rate of the battery automatically, so as to prevent battery overheating or overcharging, and,

a. A battery temperature sensing and over-temperature warning system with a means for automatically disconnecting the battery from its charging source in the event of an over-temperature condition, or,

b. A battery failure sensing and warning system with a means for automatically disconnecting the battery from its charging source in the event of battery failure.

8. Any rechargeable lithium battery installation, the function of which is required for safe operation of the airplane, must incorporate a monitoring and warning feature that will provide an indication to the appropriate flight crewmembers whenever the state-of-charge of the batteries has fallen below levels considered acceptable for dispatch of the airplane.

9. The instructions for continued airworthiness required by § 25.1529 must contain maintenance requirements to assure that the battery is sufficiently charged at appropriate intervals specified by the battery manufacturer and the equipment manufacturer that contain the rechargeable lithium battery or rechargeable lithium battery system. This is required to ensure that lithium rechargeable batteries and lithium rechargeable battery systems will not degrade below specified ampere-hour levels sufficient to power the aircraft system, for intended applications. The instructions for continued airworthiness must also contain procedures for the maintenance of batteries in spares storage to prevent the replacement of batteries with batteries that have experienced degraded charge retention ability or other damage due to prolonged storage at a low state of charge. Replacement batteries must be of the same manufacturer and part number as approved by the FAA. Precautions should be included in the instructions for continued airworthiness maintenance instructions to prevent mishandling of the rechargeable lithium battery and rechargeable lithium battery systems which could result in short-circuit or other unintentional impact damage caused by dropping or other destructive means that could result in personal injury or property damage.

Note 1: The term ''sufficiently charged'' means that the battery will retain enough of a charge, expressed in ampere-hours, to ensure that the battery cells will not be damaged. A battery cell may be damaged by lowering the charge below a point where there is a reduction in the ability to charge and retain a full charge. This reduction would be greater than the reduction that may result from normal operational degradation.

Note 2: These special conditions are not intended to replace § 25.1353(c) at Amendment 25–101 in the certification basis of the BD–100–1A10 airplane. These special conditions apply only to rechargeable lithium batteries and lithium battery systems and their installations. The requirements of § 25.1353(c) at Amendment 25–101 remain in effect for batteries and battery installations on the BD–100–1A10 airplane that do not use lithium batteries.

Issued in Renton, Washington, on August 7, 2015.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–21118 Filed 8–25–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 730, 732, 738, 743, 748, 752, 762, 772, and 774

[Docket No. 140613501–5698–02]

RIN 0694–AG13

Export Administration Regulations: Removal of Special Comprehensive License Provisions

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: In this final rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) by removing the Special Comprehensive License (SCL) authorization. Based on changes to the EAR as part of Export Control Reform, BIS concludes that the SCL has outlived its usefulness to the exporting public since recent changes to the EAR permit exporters to accomplish similar results using individual licenses and without undertaking the more onerous SCL application. This rule also makes conforming amendments. These changes are part of BIS's efforts to further update export controls under the EAR consistent with the Retrospective Regulatory Review Initiative that directs BIS and other federal agencies to streamline regulations and reduce unnecessary regulatory burdens on the public.

DATES: This is effective September 25, 2015.

FOR FURTHER INFORMATION CONTACT: Thomas Andrukonis, Director, Export Management and Compliance Division, Office of Exporter Services, Bureau of Industry and Security, by telephone at (202) 482–6396 or by email at *Thomas.Andrukonis@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

BIS issues this final rule to remove the Special Comprehensive License (SCL) provisions from the Export

Administration Regulations (EAR), consistent with the Retrospective Regulatory Review Initiative and Export Control Reform. In the preamble to a rule published in the **Federal Register** on September 30, 2014 (79 FR 58704) (hereinafter ''the September 30 proposed rule'' or ''the September 30 rule''), BIS reviewed the origins and historical nature of the SCL, and described the specific sections of the EAR that BIS proposed to amend. Based on changes to the EAR as part of Export Control Reform, BIS concluded that the SCL has outlived its usefulness to the exporting public since recent changes to the EAR permit exporters to accomplish similar results using individual licenses and without undertaking the more onerous SCL application.

This rule finalizes the revisions to the EAR as described in the September 30 proposed rule except for a modification discussed in the Transition Guidance section of the preamble. In that guidance, BIS proposed that all SCLs would expire one year from the date of publication of a final rule that removes SCL provisions from the EAR or on the expiration date of the SCL under the particular terms of the license, whichever would come earlier. As a practical matter to facilitate administrative ease for SCL holders who already have begun to transition to licenses other than the SCL and for SCL holders who have yet to begin that transition for their transactions under the EAR, BIS provides instead in this final rule that all SCLs still in effect at this publication will expire one year from the effective date of this rule, which will be September 26, 2016. Further, during this transition period, BIS will not accept new SCL applications or amendments, including renewals, to outstanding SCLs. As stated in the proposed rule, with the publication of this final rule, SCL holders may choose to apply for four-year individual licenses for exporting and reexporting items under the EAR or use available license exceptions. Finally, as stated in the proposed rule, as with all transactions subject to the EAR, the applicable recordkeeping requirements under 15 CFR part 762 will continue to apply to SCL transactions until the applicable retention periods are fulfilled.

Public Comments on the September 30 Proposed Rule To Remove the SCL and BIS Responses

BIS received three comments from three SCL holders who are private companies in the fields of geophysical and seismic technology on the September 30 proposed rule. A summary of the comments and BIS responses are below. Where possible, similar comments on the proposed rule have been consolidated.

Advantages of the SCL Compared to Individual Licenses

Comment 1: One commenter acknowledged that while the current individual validated license, (individual license) offers advantages previously only available with the SCL, the SCL offers additional advantages that to a great extent do not exist with an individual license. The commenter explained that the SCL allows the company, given the company's volume of business, to operate effectively with minimal interruptions and to ensure compliance for the following reasons: The SCL is a single license requiring a single license application, which is easier to track than a large number of individual licenses with varying expiration dates; and the SCL has a four-year validity period, while individual licenses may be, but are not automatically, granted for up to four years, making planning for medium- and long-term operations onerous. The commenter also noted that unlike individual licenses for which amendments require a replacement license, the SCL item or end user may be amended without submitting an entirely new license application.

Response 1: BIS acknowledges, as a practical matter, that there is a likelihood exporters might need more than one individual license or need to replace an existing license more than once within a four-year validity period to complete transactions under the EAR. However, BIS licensing information indicates that SCL holders also have needed to amend their SCLs a number of times within the SCL four-year validity period. It also indicates that the initial SCL application and review process historically required that applicants submit more documents and wait for decisions on those applications for a longer period than that for an individual license. Currently, applying for an amendment to either a SCL or a replacement for an individual license requires that exporters submit in a less cumbersome manner such information electronically through SNAP–R. Further, not all changes to individual licenses require that they be replaced. As detailed in Section 750.7 of the EAR, non-material changes to a license may be made without the issuance of a replacement license. In addition, the four-year validity period for an individual license is not as tentative or unpredictable as the commenter suggests, given the updated provisions in Section 750.7(g) of the EAR. Finally, with regard to the ease of tracking SCLs versus individual licenses, exporters are responsible for keeping track of all authorizations allowed or granted to the exporter under the EAR. While BIS continually seeks to decrease any unreasonable burden exporters may have in complying with the EAR, BIS suggests that exporters develop a degree of familiarity or predictability regarding their business practices that allows them to review and predict what resources and activities will be needed to complete their regulatory obligations for export and reexport.

Comment 2: A commenter stated that an advantage of the SCL is that it contains a single set of conditions while the conditions for individual license vary. The commenter further stated that the varying conditions on individual licenses make compliance difficult if not impossible. However, another commenter stated that SCL conditions and individual license conditions for the commenter's individual licenses are the same, as agreed to by BIS and the State Department's Directorate of Defense Trade Controls (DDTC).

Response 2: BIS agrees with the second commenter on this issue. Conditions attached to a particular license, whether on an individual license or SCL, remain the same for the duration of the validity period. Should an exporter submit a replacement license, the related changes could reasonably impact the nature and scope of the conditions on that license. Even if there are variations between conditions on different individual licenses, these variations may be justified in light of the different fact sets for each license application.

Comment 3: A commenter stated that the SCL is more flexible and better fits a company that needs quick turnaround to compete in the international marketplace, such as the market for subsea remotely operated vehicles (ROVs) to support oil and gas exploration. The commenter added, as an example of flexibility, that the United Kingdom offers two week processing on flexible individual licenses, which impose significantly less restrictive conditions as compared to the individual licenses issued by the United States. The commenter further stated that the SCL is critical to enabling the company to compete effectively with foreign competitors while continuing to manufacture controlled ROVs in the United States. Without the SCL, according to the commenter, the commenter's competitiveness with foreign ROV manufacturers, who function under less restrictive export

control regimes and with the benefit of flexible licensing, would be negatively impacted.

Response 3: BIS notes that the current features of the EAR's SCL can be replicated in an individual license. More importantly, as noted in *Response to Comment 1,* the review period for an individual license is less cumbersome and time consuming than for a SCL application, barring any missing information or significant interagency concerns about the proposed transaction. Finally, the SCL holders are companies with well-established license history under the EAR. These companies have conducted business in their industries long enough to reasonably forecast licensing needs, including needs for authorizations for potential additional export or reexport opportunities, and submit requests to BIS accordingly. Thus, the individual licensing process described by the commenter should not negatively impact the commenter's export and reexport interests under the EAR.

Comment 4: A commenter stated that the SCL advances U.S. national security and foreign policy interests. The commenter further stated that it was not surprising that the September 30 proposed rule did not suggest that eliminating the SCL furthers U.S. national security or foreign policy interests because the existence of the SCL provides an impetus for companies to develop and implement comprehensive Internal Control Programs (ICPs), which are subject to audits by BIS. The commenter also stated that the commenter's compliance with the EAR is reinforced due to the stringent requirements for obtaining and relying on a SCL.

Response 4: BIS finds merit in the commenter's point that the SCL has contributed to advancing U.S. national security and foreign policy interests and provided an impetus for companies to invest in comprehensive ICPs. Further, the commenter's point gives BIS an opportunity to note that the elements of a SCL ICP are strong, practical factors that will contribute to the success of transactions using individual licenses authorized under the EAR. These factors reflect that SCL holders are sophisticated businesses that manage well their export licensing obligations, as noted in the *Response to Comment 1.*

Comment 5: One commenter stated that SCL administrative and compliance benefits greatly outweigh the SCL administrative burden, unlike individual licenses. The commenter added that individual licenses are tedious, time consuming and repetitious, and hamper companies' abilities to respond to short-term bid opportunities.

Response 5: As mentioned in the *Response to Comment 3,* barring an insufficient individual license application or significant concerns raised during interagency review, objectively the individual license application process is less cumbersome and time consuming than the SCL application process. BIS appreciates that the commenter does not mind the administrative burden associated with the SCL. However, the point of Export Control Reform and the President's Retrospective Regulatory Review is for agencies to adopt regulatory changes that will remove redundancies and offer more streamlined and practical requirements and processes benefiting the greatest number of constituents while facilitating the agencies' missions. An individual license should be able to accommodate in a timely manner the commenter's efforts to pursue short-term bid opportunities, especially given the company's established licensing history under the EAR. Lastly, whether changes in transactions require companies to submit an application to amend a SCL or to replace an individual license (in case the change does not qualify as a non-material change), the thoroughness and accuracy of the application and the complexity of the basis for and type of change requested will impact how quickly BIS can process a license application, whether a SCL amendment or replacement license.

Alternative Authorizations Under the EAR (i.e., License Exceptions, Validated End User (VEU) Authorization, etc.)

Comment 6: One commenter stated that none of the changes to the EAR described in the preamble of the September 30 proposed rule would make up for that commenter's loss of the SCL. In particular, the commenter stated that the existing license exceptions do not offer a viable alternative for the commenter's operations because the majority of the commenter's commodities fall under Export Control Classification Number (ECCN) 6A001.a.2 and the only license exception allowed would be License Exception Temporary imports, exports, reexports, and transfers (in-country) (TMP), which does not meet the commenter's business needs . A second commenter also stated that restrictions on available license exceptions significantly limit the benefit of the exceptions. For example, License Exceptions, such as Shipments to Country Group B countries (GBS), cover only a fraction of controlled spare parts for ROVs; and License Exception Servicing and replacement of parts and equipment (RPL) only authorizes a one-for-one replacement of parts. The second commenter also stated that License Exception Strategic Trade Authorization (STA) does not solve the commenter's authorization needs because the countries in which the commenter's ROVs are currently used are not in Country Group A:5 and ROVs under ECCN 8A001 are not eligible for export to STA Country Group A:6. Lastly, the commenter stated that TMP does not solve the commenter's needs because installation and use of ROVs abroad may go on for years and applying for individual licenses to keep the ROVs abroad is a cumbersome process.

Response 6: BIS understands that the scenario described by the commenter relative to potential assistance provided by license exceptions will not apply to every situation or exporter, but will assist some exporters in certain situations.

Comment 7: A commenter stated that the VEU Authorization would not be a viable alternative to the SCL because of the limited number of countries approved under the authorization.

Response 7: BIS acknowledges that currently there are few approved validated end users and countries. However, the use of VEU Authorization for the existing approved end users and the respective approved countries and items provides easier and accountable access for U.S. companies and other companies. Therefore, the authorization remains an option, which may be helpful for some exporters or reexporters, including SCL holders.

Improvements in Individual Licenses

Comment 8: One commenter stated that the process or procedures for obtaining individual licenses under the EAR has not grown noticeably simpler or more expeditious than when the commenter received its SCL. The commenter further stated that SNAP–R is not new to the commenter, and that application processing times also have not grown appreciably shorter, noting that BIS reported that the average processing time to review a license application was 29 days in FY 2010 and 26 days in FY 2013.

Response 8: The system for submitting and processing license applications has substantially improved over the decades. Although the improvements that BIS has implemented do not perfectly accommodate every licensable EAR transaction, they have resulted in a more streamlined and comparably versatile licensing process when compared to the protracted initial SCL

application. BIS reminds exporters that the updates for individual license applications include four-year, or longer—per Section 750.7(g)—validity period, and allowing the listing of a greater number of end-users, among other enhancements. Lastly, the September 30 proposed rule described developments and improvements under the EAR that directly respond to the President's Retrospective Regulatory Review Initiative.

Projected Impact of Removal of the SCL

Comment 9: Raising a point similar to that in *Comment 1,* a commenter stated that the removal of the SCL will increase the number of individual licenses that must be managed, and that unlike the SCL, exporters will be unable to amend export and reexport licenses. The commenter noted that the commenter amends its SCL twice a year. The commenter further stated that an increase in individual licenses will require additional internal resources, and increased chances of freight forwarder errors.

Response 9: BIS acknowledges, as a practical matter, there is a likelihood exporters might need more than one individual license or need to replace an existing license more than once within a four-year validity period to complete transactions under the EAR. However, BIS licensing information indicates that SCL holders typically have applied for additional licenses under the EAR to fully accommodate the SCL holders'export and reexport needs under the EAR. Please see *Response to Comment 1.* Regarding the commenter's assertion that exporters will be unable to amend export and reexport licenses, BIS expects that changes to individual licenses will be handled in a similar fashion as amendments to SCL amendments.

Other

Comment 10: A commenter suggested that to offset the removal of the SCL, BIS should entertain the possibility of issuing export and reexport licenses to include all countries except those sanctioned or embargoed. The commenter believed that this approach would help mitigate the risk of losing new business opportunities.

Response 10: BIS will consider the commenter's recommendation consistent with pertinent authorities and U.S. and allied policy objectives.

Comment 11: A commenter asserted that the two 2012 comments from industry cited in the September 30 proposed rule that expressed reservations about the benefits of the SCL do not extend to other U.S. companies, including the commenter's company. The commenter went on to say that other companies should determine if the benefits of a SCL do not outweigh the burdens on an individual basis.

Response 11: BIS did not intend to imply that the SCL has not provided significant benefits to other U.S. companies. BIS included the comments in question in the September 30 proposed rule because their nature and quality were relevant to the priorities of the President's Retrospective Regulatory Initiative. In keeping with that Initiative, BIS published the September 30 proposed rule to determine if there were better ways to serve the broad spectrum of constituents under the jurisdiction of the EAR. That said, as already indicated, BIS believes all current features of the SCL can be replicated in an individual license, and thus the usefulness and effectiveness of export authorizations under the EAR should not be impacted negatively by removal of the SCL.

Description of Changes From the Proposed Rule

This rule publishes in final form the proposed amendments to the SCL as described initially in the September 30 rule, except for one change to the proposed expiration date of the SCL and two proposed amendments that were overtaken by a recent rulemaking.

Change to Expiration Date of the SCL

In the proposed rule, BIS proposed that all SCLs would expire one year from the date of publication of a final rule or the expiration date of the SCL under the particular terms of the license, whichever would come earlier. BIS provides instead in this final rule that all SCLs still in effect at this publication will expire one year from the effective date of this rule, which will be September 26, 2016.

The Intervening Changes

In the September 30 rule, BIS proposed to remove a reference to an exception to required filing of support documents for a SCL by removing and reserving paragraph (a)(6) of Section 748.9 (formerly Support documents for license applications). A final rule, Revisions to Support Document Requirements for License Applications under the Export Administration Regulations, published in the **Federal Register** March 13, 2015 (80 FR 13210) (hereinafter ''the March 13 final rule''), revised Section 748.9 (currently Support documents for evaluation of foreign parties in license applications) and in doing so moved the reference to the SCL support documents exception to paragraph (c)(1)(vi) of the section. In this final rule, BIS removes and reserves paragraph (c)(1)(vi) of Section 748.9, which updates the amendment to Section 748.9(a)(6) proposed in the September 30 rule.

In addition, BIS proposed to remove the reference to the SCL in existing paragraph (a)(1)(iii) of Section 748.12 (formerly Special provisions for support documents). This paragraph provided that exporters had a grace period of 45 days to comply with support documents requirements for a license application if an item had been removed from SCL eligibility. The March 13 final rule revised that provision by removing references to the SCL in the provision and moving the remainder of the provision to Section 748.9(h) of the EAR. The revision in the March 13 final rule eliminates the need to retain the amendment to Section 748.12 (currently Firearms Convention (FC) Import Certificate) (a)(1)(iii) proposed in the September 30 rule. That update will be reflected in the regulatory text of this final rule.

Export Administration Act

Although the Export Administration Act expired on August 20, 2001, 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 7, 2015, 80 FR 48233 (August 11, 2015), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act. 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, reducing costs, harmonizing rules, and promoting flexibility. This rule has been determined to be a not significant regulatory action for purposes of Executive Order 12866.

2. This rule amends collections previously approved by the Office of Management and Budget (OMB) under Control Numbers 0694–0088, ''Simplified Network Application Processing + System (SNAP+) and the Multi-Purpose Application,'' which carries a burden hour estimate of 43.8 minutes to prepare and submit form BIS–748; 0694–0089, ''Special Comprehensive License,'' which carries a burden hour estimate of 40 hours to complete an application, 30 minutes to complete annual extension requests, 4 hours to complete amendments, and six hours to perform recordkeeping and internal control program annual certifications; and 0694–0152, ''Automated Export System (AES) Program,'' which carries a burden hour estimate of three minutes or 0.05 hours per electronic submission.

The total burden hours associated with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA) and the aforementioned OMB Control Numbers would be expected to decrease as a result of this removal of part 752 of the EAR and related provisions in this rule issued in final form, thereby reducing burden hours associated with approved collections related to the EAR.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

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

4. The Chief Counsel for Regulation at the Department of Commerce certified to the Chief Counsel for Advocacy at the Small Business Administration that this rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The factual basis was published in the proposed rule and is not repeated here. BIS received no comments that addressed the economic impact of this rule on small entities. Therefore, a final regulatory flexibility analysis is not required and one was not prepared.

List of Subjects

15 CFR Part 730

Administrative practice and procedure, Advisory committees, Exports, Reporting and recordkeeping requirements, Strategic and critical materials.

15 CFR Parts 732, 748, and 752

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

15 CFR Parts 738 and 772

Exports.

15 CFR Part 743

Administrative practice and procedure, Reporting and recordkeeping requirements.

15 CFR Part 762

Administrative practice and procedure, Business and industry, Confidential business information, Exports, Reporting and recordkeeping requirements.

15 CFR Part 774

Exports, Reporting and recordkeeping requirements.

Accordingly, under the authority of 50 U.S.C. 1701 *et seq.,* parts 730, 732, 738, 743, 748, 752, 762, 772 and 774 of the Export Administration Regulations (15 CFR parts 730–774) are amended as follows:

PART 730—[AMENDED]

■ 1. The authority citation for part 730 is revised to read as follows:

Authority: Authority: 50 U.S.C. app. 2401 *et seq.;* 50 U.S.C. 1701 *et seq.;* 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c; 22 U.S.C. 2151 note; 22 U.S.C. 3201 *et seq.;* 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 15 U.S.C. 1824a; 50 U.S.C. app. 5; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 11912, 41 FR 15825, 3 CFR, 1976 Comp., p. 114; E.O. 12002, 42 FR 35623, 3 CFR, 1977 Comp., p. 133; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12214, 45 FR 29783, 3 CFR, 1980 Comp., p. 256; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 179; E.O. 12918, 59 FR 28205, 3 CFR, 1994 Comp., p. 899; 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. 12981, 60 FR 62981, 3 CFR, 1995 Comp., p. 419; E.O. 13020, 61 FR 54079, 3 CFR, 1996 Comp., p. 219; 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; E.O. 13338, 69 FR 26751, 3 CFR, 2004 Comp., p 168; E.O. 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013); Notice of September 17, 2014, 79 FR 56475 (September 19, 2014); Notice of November 7, 2014, 79 FR 67035 (November 12, 2014); Notice of January 21, 2015, 80 FR 3461 (January 22, 2015); Notice of May 6, 2015, 80 FR 26815 (May 8, 2015); Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

§ 730.8 [Amended]

■ 2. Section 730.8 is amended by removing the next to last sentence in paragraph (a)(5).

Supplement No. 1 to Part 730 [Amended]

■ 3. Supplement No. 1 to Part 730 is amended by:

■ a. Revising the entries for Collection number ''0694–0088'' and Collection number ''0694–0152''; and;

■ b. Removing the entry for Collection number ''0694–0089''.

The revisions read as follow:

Supplement No. 1 to Part 730—Information Collection Requirements Under the Paperwork Reduction Act: OMB Control Numbers

* * * * *

Collection No.	Title	Reference in the EAR
* *	* * *	* *
0694–0088	Simplified Network Application Processing+ System (SNAP+) and the Multipurpose Export License Application.	Parts 746 and 748, and § 762.2(b).
* *	* * *	* *
0607–0152	Automated Export System (AES) Program	§§ 740.1(d), 740.3(a)(3), 754.2(h), 754.4(c), 758.1, 758.2, and 758.3 of the EAR.

PART 732—[AMENDED]

■ 4. The authority citation for part 732 is revised 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 7, 2015, 80 FR 48233 (August 11, 2015).

■ 5. Section 732.5 is amended by revising the next to last sentence of paragraph (b) to read as follows:

§ 732.5 Steps regarding Electronic Export Information (EEI) requirements, Destination Control Statements, and recordkeeping.

* * * * *

(b) * * * DCS requirements do not apply to reexports * * *

* * * * *

§ 732.6 [Amended]

■ 6. Section 732.6 is amended by removing and reserving paragraph (d).

PART 738—[AMENDED]

■ 7. The authority citation for 15 CFR part 738 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.;* 50 U.S.C. 1701 *et seq.;* 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c; 22 U.S.C. 3201 *et seq.;* 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 15 U.S.C. 1824a; 50 U.S.C. app. 5; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; 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 7, 2015, 80 FR 48233 (August 11, 2015).

§ 738.4 [Amended]

■ 8. Section 738.4 is amended by removing the phrase ''or Special Comprehensive License'' at the end of the sixth sentence in paragraph (b)(3).

PART 743—[AMENDED]

■ 9. The authority citation for part 743 is revised 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; E.O. 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013); 78 FR 16129; Notice of August 7, 2015, 80 FR 48233 (August 11, 2015).

§ 743.1 [Amended]

■ 10. Section 743.1 is amended by removing and reserving paragraph (b)(2).

§ 743.4 [Amended]

■ 11. Section 743.4 is amended by removing and reserving paragraph (b)(2).

PART 748—[AMENDED]

■ 12. The authority citation for part 748 is revised 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 7, 2015, 80 FR 48233 (August 11, 2015).

§ 748.1 [Amended]

■ 13. Section 748.1 is amended by removing the phrase ''Special Comprehensive License or'' from the first parenthetical in the first sentence in paragraph (d), introductory text.

§ 748.4 [Amended]

■ 14. Section 748.4 is amended by removing the next to last sentence in paragraph (h).

§ 748.7 [Amended]

■ 15. Section 748.7 is amended by removing the phrase ''Special Comprehensive Licenses and'' from the parenthetical in the second sentence in paragraph (a) and from the parenthetical in the first sentence in paragraph (d).

§ 748.9 [Amended]

■ 16. Section 748.9 is amended by removing and reserving paragraph (c)(1)(vi).

Supplement No. 1 to Part 748 [Amended]

■ 17. Supplement No. 1 to Part 748 is amended by:

■ a. Removing the next to last sentence and the caption, ''*Special Comprehensive License''* that precedes it in paragraph ''Block 5:'' and

■ b. Removing and reserving paragraph ''Block 8''.

PART 752—[REMOVED AND RESERVED]

■ 18. Remove and reserve part 752.

PART 762—[AMENDED]

■ 19. The authority citation for part 762 is revised 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 7, 2015, 80 FR 48233 (August 11, 2015).

§ 762.2 [Amended]

■ 20. Section 762.2 is amended by removing and reserving paragraphs (b)(31) through (38).

PART 772—[AMENDED]

■ 21. The authority citation for part 772 is revised 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 7, 2015, 80 FR 48233 (August 11, 2015).

§ 772.1 [Amended]

■ 22. Section 772.1 is amended by removing the definition ''*Controlled in fact.''*

PART 774—[AMENDED]

■ 23. The authority citation for part 774 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.;* 50 U.S.C. 1701 *et seq.;* 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c, 22 U.S.C. 3201 *et seq.;* 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 15 U.S.C. 1824a; 50 U.S.C. app. 5; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; 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 7, 2015, 80 FR 48233 (August 11, 2015).

Supplement No. 1 to Part 774 [Amended]

■ 24. Supplement No. 1 to part 774 (the Commerce Control List) is amended by removing the phrase ''Special Comprehensive Licenses,'' wherever it is found.

Dated: August 17, 2015.

Kevin J. Wolf,

Assistant Secretary for Export Administration.

[FR Doc. 2015–20980 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–33–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2009–0805; EPA–R05–OAR–2011–0969; FRL–9932–97–Region 5]

Illinois; Disapproval of State Board Infrastructure SIP Requirements for the 2006 $PM_{2.5}$ and 2008 Ozone NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is disapproving an element of State Implementation Plan (SIP) submissions from Illinois regarding the infrastructure requirements of section 110 of the Clean Air Act (CAA) for the 2006 fine particulate matter ($PM_{2.5}$) and 2008 ozone National Ambient Air Quality Standards (NAAQS). The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the requirements of

the CAA. This action pertains specifically to infrastructure requirements concerning state board requirements.

DATES: This final rule is effective on September 25, 2015.

ADDRESSES: EPA has established dockets for this action under Docket ID No. EPA–R05–OAR–2009–0805 (2006 $PM_{2.5}$ infrastructure elements) and EPA–R05–OAR–2011–0969 (2008 ozone infrastructure elements). All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Sarah Arra, Environmental Scientist, at (312) 886–9401 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Sarah Arra, Environmental Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–9401, *arra.sarah@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This **SUPPLEMENTARY INFORMATION** section is arranged as follows:

I. What is the background of these SIP submissions?
II. What is our response to comments received on the proposed rulemaking?
III. What action is EPA taking?
IV. Statutory and Executive Order Reviews

I. What is the background of these SIP submissions?

This rulemaking addresses August 9, 2011, and December 31, 2012, submissions from the Illinois Environmental Protection Agency (Illinois EPA) intended to address all applicable infrastructure requirements for the 2006 $PM_{2.5}$ and 2008 ozone NAAQS.

The requirement for states to make a SIP submission of this type arises out of CAA section 110(a)(1). Pursuant to section 110(a)(1), states must make SIP submissions ''within 3 years (or such shorter period as the Administrator may prescribe) after the promulgation of a national primary ambient air quality standard (or any revision thereof),'' and these SIP submissions are to provide for the ''implementation, maintenance, and enforcement'' of such NAAQS. The statute directly imposes on states the duty to make these SIP submissions, and the requirement to make the submissions is not conditioned upon EPA's taking any action other than promulgating a new or revised NAAQS. Section 110(a)(2) includes a list of specific elements that ''[e]ach such plan'' submission must address.

This specific rulemaking only takes action on the CAA section 110(a)(2)(E)(ii) requirement of these submittals. The majority of the other infrastructure elements were approved October 29, 2012 (77 FR 65478) and October 16, 2014 (79 FR 62042).

II. What is our response to comments received on the proposed rulemaking?

The proposed rulemaking associated with this final action was published on June 12, 2015 (80 FR 33458), and EPA received no comments during the comment period, which ended on July 13, 2015.

III. What action is EPA taking?

EPA is disapproving as proposed a portion of submissions from Illinois certifying that its current SIP is sufficient to meet the required infrastructure element under CAA section 110(a)(2)(E)(ii) for the 2006 $PM_{2.5}$ and 2008 ozone NAAQS. This final disapproval triggers the requirement under section 110(c) that EPA promulgate a Federal Implementation Plan (FIP) no later than two years from the effective date of the disapproval unless the State corrects the deficiency, and the Administrator approves the plan or plan revision before the Administrator promulgates such FIP.

IV. Statutory and Executive Order Reviews

Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and, therefore, is not subject to review by the Office of Management and Budget.

Paperwork Reduction Act

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Regulatory Flexibility Act

This action merely disapproves state law as not meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Unfunded Mandates Reform Act

Because this rule disapproves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it 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).

Executive Order 13132: Federalism

This action also does not have Federalism implications because it does 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 (64 FR 43255, August 10, 1999). This action merely disapproves a state rule, and does not alter the relationship or the distribution of power and responsibilities established in the CAA.

Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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

This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it disapproves a state rule.

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

Because it is not a ''significant regulatory action'' under Executive Order 12866 or a ''significant energy action,'' this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001).

National Technology Transfer Advancement Act

In reviewing state submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the state to use voluntary consensus standards (VCS), EPA has no authority to disapprove a state submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a state submission, to use VCS in place of a state submission that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply.

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

Executive Order 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.

EPA lacks the discretionary authority to address environmental justice in this action. In reviewing SIP submissions, EPA's role is to approve or disapprove state choices, based on the criteria of the CAA. Accordingly, this action merely disapproves certain state requirements for inclusion into the SIP under section 110 and subchapter I, part D of the CAA and will not in-and-of itself create any new requirements. Accordingly, it does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898.

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).

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 October 26, 2015. 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. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Particulate matter.

Dated: August 14, 2015.

Susan Hedman,

Regional Administrator, Region 5.

40 CFR part 52 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.*

■ 2. Section 52.745 is amended by revising paragraphs (c) and (e) to read as follows:

§ 52.745 Section 110(a)(2) infrastructure requirements.

* * * * *

(c) Approval and Disapproval—In an August 9, 2011, submittal, and supplemented on August 25, 2011, and June 27, 2012, Illinois certified that the State has satisfied the infrastructure SIP requirements of section 110(a)(2)(A) through (H), and (J) through (M) for the 2006 24-hour $PM_{2.5}$ NAAQS. EPA is approving Illinois' submission addressing the infrastructure SIP requirements of section 110(a)(2)(A), (B), (C) with respect to enforcement, (D)(i)(II) with respect to visibility protection, (D)(ii), (E) except for state board requirements, (F) through (H), (J) except for prevention of significant deterioration (PSD), and (K) through (M). EPA is not taking action on (D)(i)(I). EPA is disapproving the state board requirements of (E)(ii). EPA is disapproving Illinois' submission addressing PSD in (C), (D)(i)(II), and the PSD portion of (J). Although EPA is disapproving portions of Illinois' submission addressing PSD, Illinois continues to implement the Federally promulgated rules for this purpose as they pertain to (C), (D)(i)(II), and the PSD portion of (J).

* * * * *

(e) Approval and Disapproval—In a December 31, 2012, submittal, Illinois certified that the State has satisfied the infrastructure SIP requirements of section 110(a)(2)(A) through (H), and (J) through (M) for the 2008 ozone NAAQS except for 110(a)(2)(D)(i)(I). EPA is approving Illinois' submission addressing the infrastructure SIP requirements of section 110(a)(2)(A), (B), (C) with respect to enforcement, (D)(i)(II) with respect to visibility protection, (D)(ii), (E) except for state board requirements, (F) through (H), (J) except for prevention of significant deterioration (PSD), and (K) through (M). EPA is disapproving the state board requirements of (E)(ii). EPA is disapproving Illinois' submission addressing PSD in (C), (D)(i)(II), and the PSD portion of (J). Although EPA is disapproving portions of Illinois' submission addressing PSD, Illinois continues to implement the Federally promulgated rules for this purpose as they pertain to (C), (D)(i)(II), and the PSD portion of (J).

* * * * *

[FR Doc. 2015–21010 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2014–0470; FRL–9929–61]

Difenoconazole; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for residues of difenoconazole in or on artichoke, globe; ginseng; fruit, stone, group 12–12; and nut, tree, group 14–12. This regulation additionally removes existing tolerances in or on fruit, stone, group 12; nut, tree, group 14; and pistachio. Interregional Research Project Number 4 (IR–4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective August 26, 2015. Objections and requests for hearings must be received on or before October 26, 2015, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2014–0470, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Government Printing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2014–0470 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before October 26, 2015. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2014–0470, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Summary of Petitioned-for Tolerance

In the **Federal Register** of September 5, 2014 (79 FR 53009) (FRL–9914–98), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3),announcing the filing of a pesticide petition (PP 4E8274) by IR–4, 500 College Road East, Suite 201W, Princeton, NJ 08540. The petition requested that 40 CFR part 180 be amended by establishing tolerances for residues of the fungicide difenoconazole, 1-[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1H–1,2,4-triazole, in or on ginseng at 0.50 parts per million (ppm); artichoke, globe at 1.5 ppm; fruit, stone, group 12–12 at 2.5 ppm; and nut, tree, group 14–12 at 0.03 ppm. That document referenced a summary of the petition prepared on behalf of IR–4 by Syngenta Crop Protection, LLC, the registrant, which is available in the docket, *http://www.regulations.gov.* Comments were received on the notice of filing. EPA's response to these comments is discussed in Unit IV.C.

Based upon review of the data supporting the petition, EPA has revised the proposed tolerance in or on ginseng. The reason for this change is explained in Unit IV.D.

III. Aggregate Risk Assessment and Determination of Safety

Section 408(b)(2)(A)(i) of FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

Consistent with FFDCA section 408(b)(2)(D), and the factors specified in FFDCA section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in

support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for difenoconazole including exposure resulting from the tolerances established by this action. EPA's assessment of exposures and risks associated with difenoconazole follows.

A. Toxicological Profile

EPA has evaluated the available toxicity data and considered its validity, completeness, and reliability as well as the relationship of the results of the studies to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children.

Subchronic and chronic studies with difenoconazole in mice and rats showed decreased body weights, decreased body weight gains and effects on the liver (*e.g.* hepatocellular hypertrophy, liver necrosis, fatty changes in the liver). No systemic toxicity was observed at the limit dose in the most recently submitted rat dermal toxicity study.

The available toxicity studies indicated no increased susceptibility of rats or rabbits from *in utero* or postnatal exposure to difenoconazole. In prenatal developmental toxicity studies in rats and rabbits and in the 2-generation reproduction study in rats, fetal and offspring toxicity, when observed, occurred at equivalent or higher doses than in the maternal and parental animals.

In a rat developmental toxicity study, developmental effects were observed at doses higher than those which caused maternal toxicity. Developmental effects in the rat included increased incidence of ossification of the thoracic vertebrae and thyroid, decreased number of sternal centers of ossification, increased number of ribs and thoracic vertebrae, and decreased number of lumbar vertebrae. In the rabbit study, developmental effects (increases in post-implantation loss and resorptions and decreases in fetal body weight) were also seen at maternally toxic doses (decreased body weight gain and food consumption). In the 2-generation reproduction study in rats, toxicity to the fetuses and offspring, when observed, occurred at equivalent or higher doses than in the maternal and parental animals.

In an acute neurotoxicity study in rats, reduced fore-limb grip strength was observed on day one in males at the lowest-observed-adverse-effect-level (LOAEL), and clinical signs of neurotoxicity were observed in females only at the highest dose tested. In a subchronic neurotoxicity study in rats, decreased hind limb strength was observed in males only at the mid- and high-doses. The effects observed in acute and subchronic neurotoxicity studies were considered transient. Although there is some evidence that difenoconazole affects antibody levels at doses that cause systemic toxicity, there are no indications in the available studies that organs associated with immune function, such as the thymus and spleen, are affected by difenoconazole.

EPA is using the nonlinear reference dose (RfD) approach to assess cancer risk. Difenoconazole is not mutagenic, and no evidence of carcinogenicity was seen in rats.

Evidence for carcinogenicity was seen in mice (liver tumors), but statistically significant carcinoma tumors were only induced at excessively-high doses. Adenomas (benign tumors) and liver necrosis only were seen at 300 ppm (46 and 58 milligram/kilogram/day (mg/kg/day) in males and females, respectively). Based on excessive toxicity observed at the two highest doses in the mouse carcinogenicity study, the presence of only benign tumors and necrosis at the mid-dose, the absence of tumors at the study's lower doses, and the absence of genotoxic effects, EPA has concluded that the chronic point of departure (POD) from the chronic mouse study will be protective of any cancer effects. The POD from this study is the no-observed-adverse-effect-level (NOAEL) of 30 ppm (4.7 and 5.6 mg/kg/day in males and females, respectively), which was chosen based upon only those biological endpoints which were relevant to tumor development (*i.e.,* hepatocellular hypertrophy, liver necrosis, fatty changes in the liver and bile stasis). EPA has concluded that a nonlinear RfD approach is appropriate for assessing cancer risk to difenoconazole and a separate quantitative cancer exposure assessment is unnecessary since the chronic dietary risk estimate will be protective of potential cancer risk.

Specific information on the studies received and the nature of the adverse effects caused by difenoconazole as well as the NOAEL and the LOAEL from the toxicity studies can be found at *http://www.regulations.gov* in document, ''Difenoconazole: Human Health Risk Assessment for Proposed New Foliar Uses on Globe Artichoke, Ginseng and Greenhouse Grown Cucumbers and Conversion of the Established Foliar Uses/Tolerances for Stone Fruit Group 12 and Tree Nut Crop Group 14 to Stone Fruit Group 12–12 and Tree Nut Group 14–12.'' at pp. 36–43 in docket ID number EPA–HQ–OPP–2014–0470.

B. Toxicological Points of Departure/Levels of Concern

Once a pesticide's toxicological profile is determined, EPA identifies toxicological POD and levels of concern to use in evaluating the risk posed by human exposure to the pesticide. For hazards that have a threshold below which there is no appreciable risk, the toxicological POD is used as the basis for derivation of reference values for risk assessment. PODs are developed based on a careful analysis of the doses in each toxicological study to determine the dose at which the NOAEL and the LOAEL are identified. Uncertainty/safety factors are used in conjunction with the POD to calculate a safe exposure level—generally referred to as a population-adjusted dose (PAD) or an RfD—and a safe margin of exposure (MOE). For non-threshold risks, the Agency assumes that any amount of exposure will lead to some degree of risk. Thus, the Agency estimates risk in terms of the probability of an occurrence of the adverse effect expected in a lifetime. For more information on the general principles EPA uses in risk characterization and a complete description of the risk assessment process, see *http://www.epa.gov/pesticides/factsheets/riskassess.htm.*

A summary of the toxicological endpoints for difenoconazole used for human risk assessment is discussed in Unit III.B. of the final rule published in the **Federal Register** of April 2, 2015 (80 FR 17697) (FRL–9923–82).

C. Exposure Assessment

1. *Dietary exposure from food and feed uses.* In evaluating dietary exposure to difenoconazole, EPA considered exposure under the petitioned-for tolerances as well as all existing difenoconazole tolerances in 40 CFR 180.475. EPA assessed dietary exposures from difenoconazole in food as follows:

i. *Acute exposure.* Quantitative acute dietary exposure and risk assessments are performed for a food-use pesticide, if a toxicological study has indicated the possibility of an effect of concern occurring as a result of a 1-day or single exposure.

Such effects were identified for difenoconazole. In estimating acute dietary exposure, EPA used food consumption information from the United States Department of Agriculture (USDA) National Health and Nutrition Examination Survey, What We Eat in America, (NHANES/WWEIA). As to residue levels in food, EPA assumed

tolerance level residues and 100 percent crop treated (PCT) information.

ii. *Chronic exposure.* In conducting the chronic dietary exposure assessment EPA used the food consumption data from the USDA NHANES/WWEIA. As to residue levels in food, EPA used USDA Pesticide Data Program (PDP) monitoring data, average field trial residues for some commodities, tolerance level residues for the remaining commodities, average PCT for some commodities, and 100 PCT for the remaining commodities.

iii. *Cancer.* EPA determines whether quantitative cancer exposure and risk assessments are appropriate for a food-use pesticide based on the weight of the evidence from cancer studies and other relevant data. Cancer risk is quantified using a linear or nonlinear approach. If sufficient information on the carcinogenic mode of action is available, a threshold or nonlinear approach is used and a cancer RfD is calculated based on an earlier noncancer key event. If carcinogenic mode of action data are not available, or if the mode of action data determines a mutagenic mode of action, a default linear cancer slope factor approach is utilized.

Based on the data summarized in Unit III.A., EPA has concluded that a nonlinear RfD approach is appropriate for assessing cancer risk to difenoconazole. Therefore, a separate quantitative cancer exposure assessment is unnecessary since the chronic dietary risk estimate will be protective of potential cancer risk.

iv. *Anticipated residue and PCT information.* Section 408(b)(2)(E) of FFDCA authorizes EPA to use available data and information on the anticipated residue levels of pesticide residues in food and the actual levels of pesticide residues that have been measured in food. If EPA relies on such information, EPA must require pursuant to FFDCA section 408(f)(1) that data be provided 5 years after the tolerance is established, modified, or left in effect, demonstrating that the levels in food are not above the levels anticipated. For the present action, EPA will issue such data call-ins as are required by FFDCA section 408(b)(2)(E) and authorized under FFDCA section 408(f)(1). Data will be required to be submitted no later than 5 years from the date of issuance of these tolerances.

Section 408(b)(2)(F) of FFDCA states that the Agency may use data on the actual percent of food treated for assessing chronic dietary risk only if:

- Condition a: The data used are reliable and provide a valid basis to show what percentage of the food derived from such crop is likely to contain the pesticide residue.
- Condition b: The exposure estimate does not underestimate exposure for any significant subpopulation group.
- Condition c: Data are available on pesticide use and food consumption in a particular area, the exposure estimate does not understate exposure for the population in such area.

In addition, the Agency must provide for periodic evaluation of any estimates used. To provide for the periodic evaluation of the estimate of PCT as required by FFDCA section 408(b)(2)(F), EPA may require registrants to submit data on PCT.

For the chronic dietary exposure analysis, the Agency estimated the PCT for existing uses as follows:

Almond, 5%; cabbage, 2.5%; cucumber, 5%; garlic, 5%; grape, 5%; grapefruit, 2.5%; onion, 5%; orange, 2.5%; peach, 1%; pecan, 2.5%; pepper, 2.5%; pistachio, 2.5%; pumpkin, 2.5%; squash, 5%; strawberry, 2.5%; sugar beet, 15%; tangerine, 2.5%; tomato, 25%; walnut, 2.5%; watermelon, 5%; and wheat, 10%.

In most cases, EPA uses available data from United States Department of Agriculture/National Agricultural Statistics Service (USDA/NASS), proprietary market surveys, and the National Pesticide Use Database for the chemical/crop combination for the most recent 6–7 years. EPA uses an average PCT for chronic dietary risk analysis. The average PCT figure for each existing use is derived by combining available public and private market survey data for that use, averaging across all observations, and rounding to the nearest 5%, except for those situations in which the average PCT is less than one. In those cases, 1% is used as the average PCT and 2.5% is used as the maximum PCT. EPA uses a maximum PCT for acute dietary risk analysis. The maximum PCT figure is the highest observed maximum value reported within the recent 6 years of available public and private market survey data for the existing use and rounded up to the nearest multiple of 5%.

The Agency believes that the three conditions discussed in Unit III.C.1.iv. have been met. With respect to Condition a, PCT estimates are derived from Federal and private market survey data, which are reliable and have a valid basis. The Agency is reasonably certain that the percentage of the food treated is not likely to be an underestimation. As to Conditions b and c, regional consumption information and consumption information for significant subpopulations is taken into account through EPA's computer-based model for evaluating the exposure of significant subpopulations including several regional groups. Use of this consumption information in EPA's risk assessment process ensures that EPA's exposure estimate does not understate exposure for any significant subpopulation group and allows the Agency to be reasonably certain that no regional population is exposed to residue levels higher than those estimated by the Agency. Other than the data available through national food consumption surveys, EPA does not have available reliable information on the regional consumption of food to which difenoconazole may be applied in a particular area.

2. *Dietary exposure from drinking water.* The drinking water assessment was performed using a total toxic residue method, which considers both parent difenoconazole and its major metabolite, CGA 205375, in surface and groundwater. Therefore, the Agency used screening level water exposure models in the dietary exposure analysis and risk assessment for difenoconazole and its major metabolite in drinking water. These simulation models take into account data on the physical, chemical, and fate/transport characteristics of difenoconazole and CGA 205375. Further information regarding EPA drinking water models used in pesticide exposure assessment can be found at *http://www.epa.gov/oppefed1/models/water/index.htm.*

Based on Surface Water Concentration Calculator (SWCC), Screening Concentration in Ground Water (SCI–GROW), and Pesticide Root Zone Model Ground Water (PRZM GW) models, the combined estimated drinking water concentrations (EDWCs) of difenoconazole and CGA 205375 are estimated to be 20.0 parts per billion (ppb) for surface water and 1.77 ppb for ground water. For chronic exposure assessments, EDWCs are estimated to be 13.6 ppb for surface water; EDWCs were not detected for ground water for chronic assessments.

Modeled estimates of drinking water concentrations were directly entered into the dietary exposure model. For acute dietary risk assessment, the water concentration value of 20.0 ppb was used to assess the contribution to drinking water. For chronic dietary risk assessment, the water concentration of value 13.6 ppb was used to assess the contribution to drinking water.

3. *From non-dietary exposure.* The term ''residential exposure'' is used in this document to refer to non-occupational, non-dietary exposure (*e.g.,* for lawn and garden pest control,

indoor pest control, termiticides, and flea and tick control on pets).

Difenoconazole is currently registered for the following uses that could result in residential exposures: Treatment of ornamental plants in commercial and residential landscapes and interior plantscapes. EPA assessed residential exposure using the following assumptions: For residential handlers, adult short-term dermal and inhalation exposure is expected from mixing, loading, and applying difenoconazole on ornamentals (gardens and trees). For residential post-application exposures, short-term dermal exposure is expected for both adults and children from post-application activities in treated residential landscapes.

The scenarios used in the aggregate assessment were those that resulted in the highest exposures. The highest exposures consist of the short-term dermal exposure to adults from post-application activities in treated gardens and short-term dermal exposure to children 6 to 11 years old from post-application activities in treated gardens. Further information regarding EPA standard assumptions and generic inputs for residential exposures may be found at *http://www.epa.gov/pesticides/science/residential-exposure-sop.html.*

4. *Cumulative effects from substances with a common mechanism of toxicity.* Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

Difenoconazole is a member of the triazole-containing class of pesticides. Although conazoles act similarly in plants (fungi) by inhibiting ergosterol biosynthesis, there is not necessarily a relationship between their pesticidal activity and their mechanism of toxicity in mammals. Structural similarities do not constitute a common mechanism of toxicity. Evidence is needed to establish that the chemicals operate by the same, or essentially the same, sequence of major biochemical events (EPA, 2002). This document may be found at EPA's Web site at *http://www.epa.gov/oppfead1/trac/science/cumulativeguidance.pdf.*

In conazoles, however, a variable pattern of toxicological responses is found; some are hepatotoxic and hepatocarcinogenic in mice. Some induce thyroid tumors in rats. Some induce developmental, reproductive, and neurological effects in rodents. Furthermore, the conazoles produce a diverse range of biochemical events including altered cholesterol levels, stress responses, and altered DNA methylation. It is not clearly understood whether these biochemical events are directly connected to their toxicological outcomes. Thus, there is currently no evidence to indicate that conazoles share common mechanisms of toxicity and EPA is not following a cumulative risk approach based on a common mechanism of toxicity for the conazoles. For information regarding EPA's procedures for cumulating effects from substances found to have a common mechanism of toxicity, see EPA's Web site at *http://www.epa.gov/pesticides/cumulative.*

Difenoconazole is a triazole-derived pesticide. This class of compounds can form the common metabolite 1,2,4-triazole and two triazole conjugates (triazolylalanine and triazolylacetic acid). To support existing tolerances and to establish new tolerances for triazole-derivative pesticides, including difenoconazole, EPA conducted a human health risk assessment for exposure to 1,2,4-triazole, triazolylalanine, and triazolylacetic acid resulting from the use of all current and pending uses of any triazole-derived fungicide. The risk assessment is a highly conservative, screening-level evaluation in terms of hazards associated with common metabolites (*e.g.,* use of a maximum combination of uncertainty factors) and potential dietary and non-dietary exposures (*i.e.,* high end estimates of both dietary and non-dietary exposures). In addition, the Agency retained the additional 10X Food Quality Protection Act Safety Factor (FQPA SF) for the protection of infants and children. The assessment includes evaluations of risks for various subgroups, including those comprised of infants and children.

The Agency's complete risk assessment may be found in the propiconazole reregistration docket at *http://www.regulations.gov,* docket ID Number EPA–HQ–OPP–2005–0497. The Agency's latest complete risk assessment for the triazole-containing metabolites was finalized on April 9, 2015 and is entitled, ''Common Triazole Metabolites: Updated Dietary (Food + Water) Exposure and Risk Assessment to Address The New Section 3 Registrations For Use of Propiconazole on Tea, Dill, Mustard Greens, Radish, and Watercress; Use of Difenoconazole on Globe Artichoke, Ginseng and Greenhouse Grown Cucumbers and Conversion of the Established Foliar Uses/Tolerances for Stone Fruit and Tree Nut Crop Groups to Fruit, Stone, Group 12–12 and the Nut, Tree, Group 14–12.; and Use of Flutriafol on Hops.'' The assessment may be found in the propiconazole reregistration docket at *http://www.regulations.gov,* docket ID number EPA–HQ–OPP–2014–0470.

D. Safety Factor for Infants and Children

1. *In general.* Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the FQPA SF. In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

2. *Prenatal and postnatal sensitivity.* The prenatal and postnatal toxicology database for difenoconazole includes rat and rabbit prenatal developmental toxicity studies and a 2-generation reproduction toxicity study in rats. The available Agency guideline studies indicated no increased qualitative or quantitative susceptibility of rats or rabbits to *in utero* and/or postnatal exposure to difenoconazole. In the prenatal developmental toxicity studies in rats and rabbits and the 2-generation reproduction study in rats, toxicity to the fetuses/offspring, when observed, occurred at equivalent or higher doses than in the maternal/parental animals. In a rat developmental toxicity study developmental effects were observed at doses higher than those which caused maternal toxicity. In the rabbit study, developmental effects (increases in post-implantation loss and resorptions and decreases in fetal body weight) were also seen at maternally toxic doses (decreased body weight gain and food consumption). In the 2-generation reproduction study in rats, toxicity to the fetuses/offspring, when observed, occurred at equivalent or higher doses than in the maternal/parental animals.

3. *Conclusion.* EPA has determined that reliable data show the safety of infants and children would be adequately protected if the FQPA SF were reduced to 1x. That decision is based on the following findings:

i. The toxicity database for difenoconazole is complete.

ii. There are no clear signs of neurotoxicity following acute, subchronic, or chronic exposure in multiple species in the difenoconazole

study database. The effects observed in acute and subchronic neurotoxicity studies are transient, and the dose-response is well characterized with identified NOAELs. Based on the toxicity profile, and lack of concern for neurotoxicity, there is no need for a developmental neurotoxicity study or additional uncertainty factors (UFs) to account for neurotoxicity.

iii. There is no evidence that difenoconazole results in increased susceptibility in *in utero* rats or rabbits in the prenatal developmental studies or in young rats in the 2-generation reproduction study.

iv. There are no residual uncertainties identified in the exposure databases. The dietary risk assessment utilized tolerance level residues and 100 PCT for the acute assessment; the chronic assessment was refined by using USDA PDP monitoring data, average field trial residues for some commodities, tolerance level residues for remaining commodities, and average PCT for some commodities. These assumptions will not underestimate dietary exposure to difenoconazole. EPA made conservative (protective) assumptions in the ground and surface water modeling used to assess exposure to difenoconazole in drinking water. EPA used similarly conservative assumptions to assess postapplication exposure of children. These assessments will not underestimate the exposure and risks posed by difenoconazole.

E. Aggregate Risks and Determination of Safety

EPA determines whether acute and chronic dietary pesticide exposures are safe by comparing aggregate exposure estimates to the acute PAD (aPAD) and chronic PAD (cPAD). For linear cancer risks, EPA calculates the lifetime probability of acquiring cancer given the estimated aggregate exposure. Short-, intermediate-, and chronic-term risks are evaluated by comparing the estimated aggregate food, water, and residential exposure to the appropriate PODs to ensure that an adequate MOE exists.

1. *Acute risk.* Using the exposure assumptions discussed in this unit for acute exposure, the acute dietary exposure from food and water to difenoconazole will occupy 49% of the aPAD for all infants less than 1 year old, the population group receiving the greatest exposure.

2. *Chronic risk.* Using the exposure assumptions described in this unit for chronic exposure, EPA has concluded that chronic exposure to difenoconazole from food and water will utilize 89% of the cPAD for children 1 to 2 years old, the population group receiving the greatest exposure. Based on the explanation in Unit III.C.3., regarding residential use patterns, chronic residential exposure to residues of difenoconazole is not expected.

3. *Short-term risk.* Short-term aggregate exposure takes into account short-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). Difenoconazole is currently registered for uses that could result in short-term residential exposure, and the Agency has determined that it is appropriate to aggregate chronic exposure through food and water with short-term residential exposures to difenoconazole.

Using the exposure assumptions described in this unit for short-term exposures, EPA has concluded the combined short-term food, water, and residential exposures result in aggregate MOEs of 170 for adults and 190 for children. Because EPA's level of concern for difenoconazole is a MOE of 100 or below, these MOEs are not of concern.

4. *Intermediate-term risk.* Intermediate-term aggregate exposure takes into account intermediate-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). An intermediate-term adverse effect was identified; however, difenoconazole is not registered for any use patterns that would result in intermediate-term residential exposure. Intermediate-term risk is assessed based on intermediate-term residential exposure plus chronic dietary exposure. Because there is no intermediate-term residential exposure and chronic dietary exposure has already been assessed under the appropriately protective cPAD (which is at least as protective as the POD used to assess intermediate-term risk), no further assessment of intermediate-term risk is necessary, and EPA relies on the chronic dietary risk assessment for evaluating intermediate-term risk for difenoconazole.

5. *Aggregate cancer risk for U.S. population.* Based on the data summarized in Unit III.A., the chronic dietary risk assessment is protective of any potential cancer effects. Based on the results of that assessment, EPA concludes that difenoconazole is not expected to pose a cancer risk to humans.

6. *Determination of safety.* Based on these risk assessments, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to difenoconazole residues.

IV. Other Considerations

A. Analytical Enforcement Methodology

Adequate enforcement methodology, gas chromatography with nitrogen phosphorus detection (GC/NPD) method AG–575B, is available for the determination of residues of difenoconazole *per se* in or on plant commodities. Liquid chromatography with tandem mass spectrometry (LC/MS/MS) method REM 147.07b is available for the determination of residues of difenoconazole and CGA–205375 in livestock commodities. Adequate confirmatory methods are also available.

The methods may be requested from: Chief, Analytical Chemistry Branch, Environmental Science Center, 701 Mapes Rd., Ft. Meade, MD 20755–5350; telephone number: (410) 305–2905; email address: *residuemethods@epa.gov.*

B. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S. tolerances with international standards whenever possible, consistent with U.S. food safety standards and agricultural practices. EPA considers the international maximum residue limits (MRLs) established by the Codex Alimentarius Commission (Codex), as required by FFDCA section 408(b)(4). The Codex Alimentarius is a joint United Nations Food and Agriculture Organization/World Health Organization food standards program, and it is recognized as an international food safety standards-setting organization in trade agreements to which the United States is a party. EPA may establish a tolerance that is different from a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain the reasons for departing from the Codex level.

The Codex has not established a MRL in or on artichoke, globe. Codex has established the following MRLs for difenoconazole: Ginseng at 0.08 ppm; dried and red ginseng at 0.2 ppm; ginseng extracts at 0.6 ppm; cherry and plum, including prune at 0.2 ppm; nectarine and peach at 0.5 ppm; and tree nut at 0.03 ppm. The MRL for tree nut at 0.03 ppm is the same as the tolerance being established for difenoconazole in the United States for nut, tree, group 14–12 at 0.03 ppm. Based on the data reviewed in conjunction with this action, harmonization with Codex MRLs is not possible for ginseng and stone fruit

commodities (including cherry, nectarine, peach, plum, and prune). The data supporting the EPA petition support the establishment of tolerance levels that are higher than the established Codex MRLs. The U.S. tolerances are being recommended by EPA are as follows: Ginseng at 1.0 ppm; and fruit, stone, group 12–12 at 2.5 ppm.

C. Response to Comments

Several comments were received in response to the notice of filing. All but one were concerned with potential environmental impacts, and were not specifically related to the difenoconazole action. EPA notes that these comments address potential environmental concerns; however, the safety standard for approving tolerances under section 408 of the FFDCA focuses on potential harms to human health and does not permit consideration of effects on the environment.

One additional comment was received that did not specifically address the difenoconazole action, but that raised concerns about the toxicity of pesticides and requested that no tolerance be established. The Agency understands the commenter's concerns and recognizes that some individuals believe that pesticides should be banned on agricultural crops. However, the existing legal framework provided by Section 408 of the FFDCA states that tolerances may be set when persons seeking such tolerances or exemptions have demonstrated that the pesticide meets the safety standard imposed by that statute. This citizen's comment appears to be directed at the underlying statute and not EPA's implementation of it; the citizen has made no contention that EPA has acted in violation of the statutory framework. EPA has found that there is a reasonable certainty of no harm to humans after considering the toxicological studies and the exposure levels of humans to difenoconazole.

D. Revisions to Petitioned-for Tolerances

Based on the data supporting the petition, EPA determined that the proposed tolerance in or on ginseng at 0.50 ppm should be established at 1.0 ppm. Residues of difenoconazole appeared to increase significantly with a pre-harvest interval (PHI) longer than the proposed 0-day PHI. Average per-trial residues increased by a factor of as much as 2.3x between the 0- and 21-day PHIs and based on this finding, EPA determined that average per-trial residues of difenoconazole for trials reflecting a 0-day PHI should be adjusted by a factor of 2.3x to account for the maximum demonstrated increase in difenoconazole residues resulting from PHIs longer than the proposed 0-day PHI. Therefore, the adjusted residues were used in the Organization for Economic Cooperation and Development (OECD) tolerance calculation procedures, resulting in the recommend tolerance in or on ginseng at 1.0 ppm.

V. Conclusion

Therefore, tolerances are established for residues of difenoconazole, 1-[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1H–1,2,4-triazole, in or on artichoke, globe at 1.5 ppm; ginseng at 1.0 ppm; fruit, stone, group 12–12 at 2.5 ppm; and nut, tree, group 14–12 at 0.03 ppm. Additionally, this regulation removes the established tolerances for residues of difenoconazole in or on fruits, stone group 12 at 2.5 ppm; nut, tree, group 14 at 0.03 ppm; and pistachio at 0.03 ppm.

VI. Statutory and Executive Order Reviews

This action establishes tolerances under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: August 13, 2015.

Susan Lewis,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.475:

■ a. Remove the entries ''Fruits, stone, group 12''; ''Nut, tree, group 14''; and ''Pistachio'' from the table in paragraph (a)(1).

■ b. Add alphabetically the following commodities to the table in paragraph (a)(1).

The amendments read as follows:

§ 180.475 Difenoconazole; tolerances for residues.

(a)(1) * * *

Commodity	Parts per million
* * * * *	
Artichoke, globe	1.5
* * * * *	
Fruit, stone, group 12–12	2.5
Ginseng	1.0
* * * * *	
Nut, tree, group 14–12	0.03
* * * * *	

* * * * *

[FR Doc. 2015–21078 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 202, 204, 212, 239, and 252

[Docket No. DARS–2015–0039]

RIN 0750–AI61

Defense Federal Acquisition Regulation Supplement: Network Penetration Reporting and Contracting for Cloud Services (DFARS Case 2013–D018)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Interim rule.

SUMMARY: DoD is issuing an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the National Defense Authorization Act for Fiscal Year 2013 and a section of the National Defense Authorization Act for Fiscal Year 2015, both of which require contractor reporting on network penetrations. Additionally, this rule implements DoD policy on the purchase of cloud computing services.

DATES: Effective August 26, 2015.

Comment date: Comments on the interim rule should be submitted in writing to the address shown below on or before October 26, 2015 to be considered in the formation of a final rule.

ADDRESSES: Submit comments identified by DFARS Case 2013–D018, using any of the following methods:

○ *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by entering ''DFARS Case 2013–D018'' under the heading ''Enter keyword or ID'' and selecting ''Search.'' Select the link ''Submit a Comment'' that corresponds with ''DFARS Case 2013–D018.'' Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''DFARS Case 2013–D018'' on your attached document.

○ *Email: osd.dfars@mail.mil.* Include DFARS Case 2013–D018 in the subject line of the message.

○ *Fax:* 571–372–6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Mr. Dustin Pitsch, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to *http://www.regulations.gov*, including any personal information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Dustin Pitsch, OUSD(AT&L)DPAP/DARS, telephone 571–372–6090.

SUPPLEMENTARY INFORMATION:

I. Background

This interim rule requires contractors and subcontractors to report cyber incidents that result in an actual or potentially adverse effect on a covered contractor information system or covered defense information residing therein, or on a contractor's ability to provide operationally critical support. DoD is working to establish a single reporting mechanism for DoD contractor reporting of cyber incidents on unclassified information systems. This rule is intended to streamline the reporting process for DoD contractors and minimize duplicative reporting processes. Cyber incidents involving classified information on classified contractor systems will continue to be reported in accordance with the National Industrial Security Program Operating Manual (see DoD–M 5220.22 available at *http://www.dtic.mil/whs/directives/corres/pdf/522022m.pdf*).

The rule revises the DFARS to implement section 941 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013 (Pub. L. 112–239) and section 1632 of the NDAA for FY 2015. Section 941 of the NDAA for FY 2013 requires cleared defense contractors to report penetrations of networks and information systems and allows DoD personnel access to equipment and information to assess the impact of reported penetrations. Section 1632 of the NDAA for FY 2015 requires that a contractor designated as operationally critical must report each time a cyber incident occurs on that contractor's network or information systems.

In addition, this rule also implements DoD policies and procedures for use when contracting for cloud computing services. The DoD Chief Information Officer (CIO) issued a memo on December 15, 2014, entitled ''Updated Guidance on the Acquisition and Use of Commercial Cloud Computing Services'' to clarify DoD guidance when acquiring commercial cloud services (See memo here: *http://iase.disa.mil/cloud_security/Pages/docs.aspx*). The DoD CIO also released a Cloud Computing Security Requirements Guide (SRG) Version 1, Release 1 on January 13, 2015, for cloud service providers to comply with when providing the DoD with cloud services (See SRG here: *http://iase.disa.mil/cloud_security/Pages/index.aspx*). This rule implements these new policies developed within the DoD CIO memo and the SRG in the DFARS to ensure uniform application when contracting for cloud services across the DoD. The combination of the two statutes as well as the cloud computing policy will serve to increase the cyber security requirements placed on DoD information in contractor systems and will help the DoD to mitigate the risks related to compromised information as well as gather information for future improvements in cyber security policy.

II. Discussion and Analysis

To implement section 941 of the NDAA for FY 2013 and section 1632 of the NDAA for FY 2015, an existing DFARS subpart and clause have been utilized and expanded upon, and a new provision and clause added. A new subpart, provision, and clause are added for the implementation of cloud contracting policies.

(1) DFARS subpart 204.73 is modified to expand safeguarding and reporting policy to require protection of covered defense information, which includes controlled technical information, export controlled information, critical

information, and other information requiring protection by law, regulation, or Government-wide policy.

(2) The clause at 252.204–7012 is renamed ''Safeguarding Covered Defense Information and Cyber Incident Reporting'' and the scope of the clause is expanded to cover the safeguarding of covered defense information and require contractors to report cyber incidents involving this new class of information as well as any cyber incident that may affect the ability to provide operationally critical support. The table of security controls based on National Institute of Standards and Technology (NIST) Special Publication (SP) 800–53 is replaced by NIST SP 800–171, entitled ''Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations.'' NIST SP 800–171 is a publication specifically tailored for use in protecting sensitive information residing in contractor information systems that refines the requirements from Federal Information Processing Standard (FIPS) 200 and controls from NIST SP 800–53 and presents them in an easier to use format. In addition to being easier to use, NIST SP 800–171 greatly increases the protections of Government information in contractor information systems, while simultaneously reducing the burden placed on the contractor by eliminating Federal-centric processes and requirements currently embedded in NIST SP 800–53. For example, a task analysis comparing the requirements of NIST SP 800–171 to the current table of security controls (based on NIST SP 800–53) demonstrates a reduction in required tasks by 30 percent.

(3) A new provision at 252.204–7008, Compliance with Safeguarding Covered Defense Information Controls, is added to ensure that offerors are aware of the requirements of clause 252.204–7012 and allow for a process to explain; (i) how alternative, but equally effective, security measures can compensate for the inability to satisfy a particular requirement; or (ii) why a particular requirement is not applicable.

(4) A new clause at 252.204–7009, Limitations on the Use and Disclosure of Third-Party Contractor Reported Cyber Incident Information, is added to protect information submitted to DoD in response to a cyber incident.

(5) DFARS subpart 239.76 is added to implement policy for the acquisition of cloud computing services.

(6) A new provision at 252.239–7009, Representation of Use of Cloud Computing, is added to allow the offeror to represent their intention to utilize cloud computing services in performance of the contract or not.

(7) A new clause at 252.239–7010, Cloud Computing Services, is added to provide standard contract language for the acquisition of cloud computing services; including access, security and reporting requirements.

(8) The term ''cyber incident,'' is removed from the definitions section of subpart 204.73 and is now defined at 202.1. The terms ''compromise'' and ''media'' are also added to 202.1, because the terms are used in parts 204 and 239.

(9) The new clauses and provisions added by this rule are added to the list of solicitation provisions and contract clauses for the acquisition of commercial items at 212.301(f).

This rule is part of DoD's retrospective plan, completed in August 2011, under Executive Order 13563, ''Improving Regulation and Regulatory Review.'' DoD's full plan and updates can be accessed at: *http://www.regulations.gov/#!docketDetail;D=DOD-2011-OS-0036.*

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action and, therefore, was subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD expects that this interim rule may have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act 5 U.S.C. 601, *et seq.* Therefore, an initial regulatory flexibility analysis has been prepared and is summarized as follows:

This rule expands on the existing information safeguarding policies in the DFARS and requires contractors to report cyber incidents to the Government in a broader scope of circumstances.

The objectives of this rule are to improve information security for DoD information stored on or transiting contractor systems as well as in a cloud environment. The rule implements section 941 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013 (Pub. L. 112–239), section 1632 of the NDAA for FY 2015, and DoD CIO policy for the acquisition of cloud computing services. The benefits of the increased security requirements implemented through this rule are that more information will be protected from release, inadvertently or through malicious intent. Additional protection for DoD information will assist with a greater overall level of national security across the board.

This rule will apply to all contractors with covered defense information transiting their information systems. DoD estimates that this rule may apply to 10,000 contractors and that less than half of those are small businesses.

This rule requires that contractors report cyber incidents to the DoD. Of the required reporting fields several of them will likely require an information technology expert to provide information describing the cyber incident or at least to determine what information was affected, to be noted in the report.

The rule does not duplicate, overlap, or conflict with any other Federal rules.

No significant alternatives, that would minimize the economic impact of the rule on small entities, were identified.

DoD invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS Case 2013–D018), in correspondence.

V. Paperwork Reduction Act

This rule affects the information collection requirements in the provisions at DFARS 252.204–7012, currently approved under OMB Control Number 0704–0478, titled ''Enhanced Safeguarding and Cyber Incident Reporting of Unclassified DoD Information Within Industry,'' in accordance with the Paperwork Reduction Act (44 U.S.C. chapter 35). The rule revises the collection reporting requirements based on—

- Changes to DFARS clause 252.204–7012, which is now titled ''Safeguarding Covered Defense Information and Cyber Incident Reporting'';
- A new DFARS provision 252.204–7008, Compliance with Safeguarding Covered Defense Information Controls;

• A new DFARS provision at 252.239–7009, Representation of Use of Cloud Computing; and

• A new DFARS clause 252.239–7010, Cloud Computing Services.

The revisions to the information collection requirements contained in this rule require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35). OMB has provided emergency clearance for the revision of 0704–0478. This collection is being revised to reflect the expanded contractually mandated cyber incident reporting requirements as well as contracting for cloud services, which are covered by the DFARS clause and provision collection requirements as discussed in the beginning of this section.

Public reporting burden for this collection is estimated to average approximately 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The annual reporting burden is estimated as follows:

Respondents: 10,954.

Responses per respondent: 5.5 approximately.

Total annual responses: 60,494.

Preparation hours per response: 4.15 hours approximately.

Total response Burden Hours: 250,840.

Request for Comments Regarding Paperwork Burden. Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the DFARS, and will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Written comments and recommendations including suggestions for reducing this burden, should be sent to Ms. Jasmeet Seehra at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503, or email *Jasmeet_K._Seehra@omb.eop.gov,* with a copy to the Defense Acquisition Regulations System, Attn: Mr. Dustin Pitsch, OUSD (AT&L) DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060, or email *osd.dfars@mail.mil.* Comments should be received not later than 60 days after the date of publication in the **Federal Register**. You may also submit comments, identified by docket number and title, by the following method: Federal Rulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments. All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

There are two other OMB Control Numbers currently in place for information collection requirements associated with the overall cyber reporting program. They are discussed below and are not being changed as a result of this rule.

OMB Control Number 0704–0489, Defense Industrial Base Voluntary Cyber Security/Information Assurance (DIB CS/IA) Cyber Incident Reporting, (regulations codified under Title 32 of the CFR) supports ''voluntary'' reporting and covers the online collection medium, a Defense Industrial Base/Information Assurance Incident Collection database, which is an online repository used for both voluntary reporting and reporting that is contractually mandated under the DFARS clauses and provisions.

OMB Control Number 0704–0490, Defense Industrial Base Voluntary Cyber Security/Information Assurance (DIB CS/IA) Points of Contact (POC) Information, (regulations codified under Title 32 of the CFR) addresses the application process for participating companies. OMB Control Number 0704–0490 involves collection of personally identifiable information and is supported by a System of Records Notices for the cyber incident reporting program. The Privacy Act Statement of Records Notice (SORN) system identifier, DCIO 01, Defense Industrial Base (DIB) Cybersecurity Records, includes stipulations related to the release and disclosure of information collected. An update was published in the **Federal Register** on May 21, 2015, at 80 FR 29315 (see *http://www.gpo.gov/fdsys/pkg/FR-2015-05-21/pdf/2015-12324.pdf*).

VI. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to promulgate this interim rule without prior opportunity for public comment. This action is necessary because of the urgent need to protect covered defense information and gain awareness of the full scope of cyber incidents being committed against defense contractors. The proliferation of information technology and increased information access allowed by cloud computing environments has also increased the vulnerability of DoD information via attacks on its systems and networks and those of DoD contractors. The combination of the two statutes as well as implementation of the DoD cloud computing policy will serve to increase the cyber security requirements placed on DoD information on contractor systems and will help the DoD to mitigate the risks related to compromised information as well as gather information, through the reporting requirements, for future improvements in cyber security policy.

This rule expands upon the existing coverage in the DFARS, which previously only covered the protection of and reporting of incidents affecting the controlled technical information, but not other incidents within the contractor system. This interim rule expands the protection and reporting to entire contractor systems (*i.e.,* ''covered contractor information system'') as well as a new type of information ''covered defense information'' which includes controlled technical information as a subset. This interim rule increases the number of circumstances where contractors must implement security controls as well as when they must report incidents.

Recent high-profile breaches of Federal information show the need to ensure that information security protections are clearly, effectively, and consistently addressed in contracts. Failure to implement this rule may cause harm to the Government through the compromise of covered defense information or other Government data, or the loss of operationally critical support capabilities, which could directly impact national security. However, pursuant to 41 U.S.C. 1707 and FAR 1.501–3(b), DoD will consider public comments received in response to this interim rule in the formation of the final rule.

List of Subjects in 48 CFR Parts 202, 204, 212, 239, and 252

Government procurement.

Jennifer L. Hawes,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 202, 204, 212, 239, and 252 are amended as follows:

■ 1. The authority citation for 48 CFR 202, 204, 212, and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 202—DEFINITIONS OF WORDS AND TERMS

■ 2. Amend section 202.101 by adding, in alphabetical order, the definitions for ''compromise,'' ''cyber incident,'' and ''media'' to read as follows:

202.101 Definitions.

Compromise means disclosure of information to unauthorized persons, or a violation of the security policy of a system, in which unauthorized intentional or unintentional disclosure, modification, destruction, or loss of an object, or the copying of information to unauthorized media may have occurred.

* * * * *

Cyber incident means actions taken through the use of computer networks that result in a compromise or an actual or potentially adverse effect on an information system and/or the information residing therein.

* * * * *

Media, as used in parts 204 and 239, means physical devices or writing surfaces including, but not limited to, magnetic tapes, optical disks, magnetic disks, large-scale integration memory chips, and printouts onto which covered defense information is recorded, stored, or printed within a covered contractor information system.

* * * * *

PART 204—ADMINISTRATIVE MATTERS

■ 3. Revise subpart 204.73 heading to read as follows:

Subpart 204.73—Safeguarding Covered Defense Information and Cyber Incident Reporting

■ 4. Revise section 204.7300 to read as follows:

204.7300 Scope.

(a) This subpart applies to contracts and subcontracts requiring contractors and subcontractors to safeguard covered defense information that resides in or transits through covered contractor information systems by applying specified network security controls. It also requires reporting of cyber incidents.

(b) This subpart does not abrogate any other requirements regarding contractor physical, personnel, information, technical, or general administrative security operations governing the protection of unclassified information, nor does it affect requirements of the National Industrial Security Program.

■ 5. Amend section 204.7301 by—

■ a. Removing the definition of ''cyber incident'';

■ b. Adding, in alphabetical order, the definitions for ''contractor attributional/proprietary information,'' ''covered contractor information system,'' ''covered defense information,'' ''information system,'' ''operationally critical support,'' and ''rapid(ly) report(ing)''; and

■ c. Revising the definition for ''controlled technical information''.

The additions and revision read as follows:

204.7301 Definitions.

* * * * *

Contractor attributional/proprietary information means information that identifies the contractor(s), whether directly or indirectly, by the grouping of information that can be traced back to the contractor(s) (*e.g.,* program description, facility locations), personally identifiable information, as well as trade secrets, commercial or financial information, or other commercially sensitive information that is not customarily shared outside of the company.

Controlled technical information means technical information with military or space application that is subject to controls on the access, use, reproduction, modification, performance, display, release, disclosure, or dissemination. Controlled technical information would meet the criteria, if disseminated, for distribution statements B through F using the criteria set forth in DoD Instruction 5230.24, Distribution Statements on Technical Documents. The term does not include information that is lawfully publicly available without restrictions.

Covered contractor information system means an information system that is owned, or operated by or for, a contractor and that processes, stores, or transmits covered defense information.

Covered defense information means unclassified information that—

(1) Is—

(i) Provided to the contractor by or on behalf of DoD in connection with the performance of the contract; or

(ii) Collected, developed, received, transmitted, used, or stored by or on behalf of the contractor in support of the performance of the contract; and

(2) Falls in any of the following categories:

(i) *Controlled technical information.*

(ii) *Critical information (operations security).* Specific facts identified through the Operations Security process about friendly intentions, capabilities, and activities vitally needed by adversaries for them to plan and act effectively so as to guarantee failure or unacceptable consequences for friendly mission accomplishment (part of Operations Security process).

(iii) *Export control.* Unclassified information concerning certain items, commodities, technology, software, or other information whose export could reasonably be expected to adversely affect the United States national security and nonproliferation objectives. To include dual use items; items identified in export administration regulations, international traffic in arms regulations, and munitions list; license applications; and sensitive nuclear technology information.

(iv) Any other information, marked or otherwise identified in the contract, that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Governmentwide policies (*e.g.,* privacy, proprietary business information).

Information system means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information.

Operationally critical support means supplies or services designated by the Government as critical for airlift, sealift, intermodal transportation services, or logistical support that is essential to the mobilization, deployment, or sustainment of the Armed Forces in a contingency operation.

Rapid(ly) report(ing) means within 72 hours of discovery of any cyber incident.

* * * * *

■ 6. Revise section 204.7302 to read as follows:

204.7302 Policy.

(a) DoD and its contractors and subcontractors will provide adequate security to safeguard covered defense information on their unclassified information systems from unauthorized access and disclosure.

(1) Contractors and subcontractors are required to submit to DoD—

(i) A cyber incident report;

(ii) Malicious software, if detected and isolated; and

(iii) Media (or access to covered contractor information systems and equipment) upon request.

(2) Contracting officers shall refer to PGI 204.7303–4(a)(1)(ii) for instructions on contractor submissions of media and malicious software.

(b) Subcontractors are required to rapidly report cyber incidents directly to DoD at *http://dibnet.dod.mil* and to the prime contractor. Subcontractors shall provide the incident report number from DoD to the prime contractor. Lower-tier subcontractors are required to likewise report the same information to their higher-tier subcontractor, until the prime contractor is reached.

(c) The Government acknowledges that information shared by the contractor under these procedures may include contractor attributional/proprietary information that is not customarily shared outside of the company, and that the unauthorized use or disclosure of such information could cause substantial competitive harm to the contractor that reported the information. The Government shall protect against the unauthorized use or release of information that includes contractor attributional/proprietary information.

(d) A cyber incident that is reported by a contractor or subcontractor shall not, by itself, be interpreted as evidence that the contractor or subcontractor has failed to provide adequate information safeguards for covered defense information on their unclassified information systems, or has otherwise failed to meet the requirements of the clause at 252.204–7012. When a cyber incident is reported, the contracting officer shall consult with the DoD component CIO/cyber security office prior to assessing contractor compliance (see PGI 204.7303–3(a)(2)). The contracting officer shall consider such cyber incidents in the context of an overall assessment of a contractor's compliance with the requirements of the clause at 252.204–7012.

(e) Support services contractors directly supporting Government activities related to safeguarding covered defense information and cyber incident reporting (*e.g.,* providing forensic analysis services, damages assessment services, or other services that require access to data from another contractor) are subject to restrictions on use and disclosure.

204.7303 [Amended]

■ 7. Amend section 204.7303 by removing ''unclassified controlled technical information'' and adding ''covered defense information'' in its place.

■ 8. Revise section 204.7304 to read as follows:

204.7304 Solicitation provision and contract clauses.

(a) Use the provision at 252.204–7008, Compliance with Safeguarding Covered Defense Information Controls, in all solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items.

(b) Use the clause at 252.204–7009, Limitations on the Use or Disclosure of Third-Party Contractor Information, in all solicitations and contracts for services that include support for the Government's activities related to safeguarding covered defense information and cyber incident reporting.

(c) Use the clause at 252.204–7012, Safeguarding Covered Defense Information and Cyber Incident Reporting, in all solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items.

PART 212—ACQUISITION OF COMMERCIAL ITEM

■ 9. Amend section 212.301 by—

■ a. Redesignating paragraphs (f)(ii)(A) through (E) as paragraphs (f)(ii)(C) through (G);

■ b. Adding new paragraphs (f)(ii)(A) and (B);

■ c. Revising the newly redesignated (f)(ii)(D);

■ d. Redesignating paragraphs (f)(xv)(A) and (B) as paragraphs (f)(xv)(C) and (D);

■ e. Adding new paragraphs (f)(xv)(A) and (B).

The additions and revision read as follows:

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(f) * * *

(ii) * * *

(A) Use the provision at 252.204–7008 Compliance with Safeguarding Covered Defense Information Controls, as prescribed in 204.7304(b).

(B) Use the clause at 252.204–7009, Limitations on the Use or Disclosure of Third-Party Contractor Information, as prescribed in 204.7304(c).

* * * * *

(D) Use the clause at 252.204–7012, Safeguarding Covered Defense Information and Cyber Incident Reporting, as prescribed in 204.7304(a).

* * * * *

(xv) * * *

(A) Use the provision 252.239–7009, Representation of Use of Cloud Computing, as prescribed in 239.7603(a).

(B) Use the clause 252.239–7010, Cloud Computing Services, as prescribed in 239.7603(b).

* * * * *

PART 239—ACQUISITION OF INFORMATION TECHNOLOGY

■ 10. The authority citation for 48 CFR part 239 is revised to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 11. Add subpart 239.76 to read as follows:

Subpart 239.76—Cloud Computing

Sec.
239.7600 Scope of subpart.
239.7601 Definitions.
239.7602 Policy and responsibilities.
239.7602–1 General.
239.7602–2 Required storage of data within the United States or outlying areas.
239.7603 Solicitation provision and contract clause.

Subpart 239.76—Cloud Computing

239.7600 Scope of subpart.

This subpart prescribes policies and procedures for the acquisition of cloud computing services.

239.7601 Definitions.

As used in this subpart—

Authorizing official, as described in DoD Instruction 8510.01, Risk Management Framework (RMF) for DoD Information Technology (IT), means the senior Federal official or executive with the authority to formally assume responsibility for operating an information system at an acceptable level of risk to organizational operations (including mission, functions, image, or reputation), organizational assets, individuals, other organizations, and the Nation.

Cloud computing means a model for enabling ubiquitous, convenient, on-demand network access to a shared pool of configurable computing resources (*e.g.,* networks, servers, storage, applications, and services) that can be rapidly provisioned and released with minimal management effort or service provider interaction. This includes other commercial terms, such as on-demand self-service, broad network access, resource pooling, rapid elasticity, and measured service. It also includes commercial offerings for

software-as-a-service, infrastructure-as-a-service, and platform-as-a-service.

Government data means any information, document, media, or machine readable material regardless of physical form or characteristics, that is created or obtained by the Government in the course of official Government business.

Government-related data means any information, document, media, or machine readable material regardless of physical form or characteristics that is created or obtained by a contractor through the storage, processing, or communication of Government data. This does not include a contractor's business records (*e.g.,* financial records, legal records, etc.) or data such as operating procedures, software coding, or algorithms that are not uniquely applied to the Government data.

Spillage means a security incident that results in the transfer of classified or controlled unclassified information onto an information system not accredited (*i.e.,* authorized) for the appropriate security level.

239.7602 Policy and responsibilities.

239.7602–1 General.

(a) Generally, the DoD shall acquire cloud computing services using commercial terms and conditions that are consistent with Federal law, and an agency's needs, including those requirements specified in this subpart. Some examples of commercial terms and conditions are license agreements, End User License Agreements (EULAs), Terms of Service (TOS), or other similar legal instruments or agreements. Contracting officers shall incorporate any applicable service provider terms and conditions into the contract by attachment or other appropriate mechanism. Contracting officers shall carefully review commercial terms and conditions and consult counsel to ensure these are consistent with Federal law, regulation, and the agency's needs.

(b) The contracting officer shall only award a contract to acquire cloud computing services from any cloud service provider (*e.g.,* contractor or subcontractor, regardless of tier) that has been granted provisional authorization by Defense Information Systems Agency, at the level appropriate to the requirement, to provide the relevant cloud computing services in accordance with the Cloud Computing Security Requirements Guide (SRG) (version in effect at the time the solicitation is issued or as authorized by the contracting officer) found at *http://iase.disa.mil/cloud_security/Pages/index.aspx.* Provisional authorization processes are also available at the SRG Web site. Cloud service providers with existing provisional authorization are listed at *http://www.disa.mil/Computing/Cloud-Services/Cloud-Support.*

(c) When contracting for cloud computing services, the contracting officer shall ensure the following information is provided in the purchase request—

(1) Government data and Government-related data descriptions;

(2) Data ownership, licensing, delivery and disposition instructions specific to the relevant types of Government data and Government-related data (*e.g.,* CDRL, SOW task, line item). Disposition instructions shall provide for the transition of data in commercially available, or open and non-proprietary format (and for permanent records, in accordance with disposition guidance issued by National Archives and Record Administration);

(3) Appropriate limitations and requirements regarding contractor and third-party access to, and use and disclosure of, Government data and Government-related data;

(4) Appropriate requirements to support applicable inspection, audit, investigation, or other similar authorized activities specific to the relevant types of Government data and Government-related data, or specific to the type of cloud computing services being acquired;

(5) Appropriate requirements to support and cooperate with applicable system-wide search and access capabilities for inspections, audits, investigations, litigation, eDiscovery, records management associated with the agency's retention schedules, and similar authorized activities; and

(6) A requirement for the contractor to coordinate with the responsible Government official designated by the contracting officer, in accordance with agency procedures, to respond to any spillage occurring in connection with the cloud computing services being provided.

239.7602–2 Required storage of data within the United States or outlying areas.

(a) Cloud computing service providers are required to maintain within the 50 states, the District of Columbia, or outlying areas of the United States, all Government data that is not physically located on DoD premises, unless otherwise authorized by the authorizing official, as described in DoD Instruction 8510.01, Risk Management Framework (RMF) for DoD Information Technology (IT), in accordance with the SRG.

(b) The contracting officer shall provide written notification to the contractor when the contractor is permitted to maintain Government data at a location outside the 50 States, the District of Columbia, and outlying areas of the United States.

239.7603 Solicitation provision and contract clause.

(a) Use the provision at 252.239–7009, Representation of Use of Cloud Computing, in solicitations, including solicitations using FAR part 12 procedures for the acquisition of commercial item, for information technology services.

(b) Use the clause at 252.239–7010, Cloud Computing Services, in solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial item, for information technology services.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 12. Add section 252.204–7008 to read as follows:

252.204–7008 Compliance with Safeguarding Covered Defense Information Controls.

As prescribed in 204.7304(a), use the following provision:

Compliance With Safeguarding Covered Defense Information Controls (Aug 2015)

(a) *Definitions.* As used in this provision—

Controlled technical information, covered contractor information system, and *covered defense information* are defined in clause 252.204–7012, Safeguarding Covered Defense Information and Cyber Incident Reporting.

(b) The security requirements required by contract clause 252.204–7012, Covered Defense Information and Cyber Incident Reporting, shall be implemented for all covered defense information on all covered contractor information systems that support the performance of this contract.

(c) If the Offeror proposes to deviate from any of the security requirements in National Institute of Standards and Technology (NIST) Special Publication (SP) 800–171, ''Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations, *http://dx.doi.org/10.6028/NIST.SP.800-171* that is in effect at the time the solicitation is issued or as authorized by the Contracting Officer, the Offeror shall submit to the Contracting Officer, for consideration by the DoD CIO, a written explanation of—

(1) Why a particular security requirement is not applicable; or

(2) How an alternative but equally effective, security measure is used to compensate for the inability to satisfy a

particular requirement and achieve equivalent protection.

(d) An authorized representative of the DoD CIO will approve or disapprove offeror requests to deviate from NIST SP 800–171 requirements in writing prior to contract award. Any approved deviation from NIST SP 800–171 shall be incorporated into the resulting contract.

(End of provision)

■ 13. Add section 252.204–7009 to read as follows:

252.204–7009 Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information.

As prescribed in 204.7304(b), use the following clause:

Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information (AUG 2015)

(a) *Definitions.* As used in this clause—

Controlled technical information means technical information with military or space application that is subject to controls on the access, use, reproduction, modification, performance, display, release, disclosure, or dissemination. Controlled technical information would meet the criteria, if disseminated, for distribution statements B through F using the criteria set forth in DoD Instruction 5230.24, Distribution Statements on Technical Documents. The term does not include information that is lawfully publicly available without restrictions.

Covered defense information means unclassified information that—

(1) Is—

(i) Provided to the contractor by or on behalf of DoD in connection with the performance of the contract; or

(ii) Collected, developed, received, transmitted, used, or stored by or on behalf of the contractor in support of the performance of the contract; and

(2) Falls in any of the following categories:

(i) *Controlled technical information.*

(ii) *Critical information (operations security).* Specific facts identified through the Operations Security process about friendly intentions, capabilities, and activities vitally needed by adversaries for them to plan and act effectively so as to guarantee failure or unacceptable consequences for friendly mission accomplishment (part of Operations Security process).

(iii) *Export control.* Unclassified information concerning certain items, commodities, technology, software, or other information whose export could reasonably be expected to adversely affect the United States national security and nonproliferation objectives. To include dual use items; items identified in export administration regulations, international traffic in arms regulations and munitions list; license applications; and sensitive nuclear technology information.

(iv) Any other information, marked or otherwise identified in the contract, that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Governmentwide policies (*e.g.,* privacy, proprietary business information).

Cyber incident means actions taken through the use of computer networks that result in a compromise or an actual or potentially adverse effect on an information system and/or the information residing therein.

(b) *Restrictions.* The Contractor agrees that the following conditions apply to any information it receives or creates in the performance of this contract that is information obtained from a third-party's reporting of a cyber incident pursuant to DFARS clause 252.204–7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (or derived from such information obtained under that clause):

(1) The Contractor shall access and use the information only for the purpose of furnishing advice or technical assistance directly to the Government in support of the Government's activities related to clause 252.204–7012, and shall not be used for any other purpose.

(2) The Contractor shall protect the information against unauthorized release or disclosure.

(3) The Contractor shall ensure that its employees are subject to use and non-disclosure obligations consistent with this clause prior to the employees being provided access to or use of the information.

(4) The third-party contractor that reported the cyber incident is a third-party beneficiary of the non-disclosure agreement between the Government and Contractor, as required by paragraph (b)(3) of this clause.

(5) A breach of these obligations or restrictions may subject the Contractor to—

(i) Criminal, civil, administrative, and contractual actions in law and equity for penalties, damages, and other appropriate remedies by the United States; and

(ii) Civil actions for damages and other appropriate remedies by the third party that reported the cyber incident, as a third party beneficiary of this clause.

(c) *Subcontracts.* The Contractor shall include the substance of this clause, including this paragraph (c), in all subcontracts for services that include support for the Government's activities related to safeguarding covered defense information and cyber incident reporting, including subcontracts for commercial items.

(End of clause)

■ 14. Revise section 252.204–7012 to read as follows:

252.204–7012 Safeguarding Covered Defense Information and Cyber Incident Reporting.

As prescribed in 204.7304c, use the following clause:

Safeguarding Covered Defense Information and Cyber Incident Reporting (AUG 2015)

(a) *Definitions.* As used in this clause—

Adequate security means protective measures that are commensurate with the consequences and probability of loss, misuse, or unauthorized access to, or modification of information.

Compromise means disclosure of information to unauthorized persons, or a violation of the security policy of a system, in which unauthorized intentional or unintentional disclosure, modification, destruction, or loss of an object, or the copying of information to unauthorized media may have occurred.

Contractor attributional/proprietary information means information that identifies the contractor(s), whether directly or indirectly, by the grouping of information that can be traced back to the contractor(s) (*e.g.,* program description, facility locations), personally identifiable information, as well as trade secrets, commercial or financial information, or other commercially sensitive information that is not customarily shared outside of the company.

Contractor information system means an information system belonging to, or operated by or for, the Contractor.

Controlled technical information means technical information with military or space application that is subject to controls on the access, use, reproduction, modification, performance, display, release, disclosure, or dissemination. Controlled technical information would meet the criteria, if disseminated, for distribution statements B through F using the criteria set forth in DoD Instruction 5230.24, Distribution Statements on Technical Documents. The term does not include information that is lawfully publicly available without restrictions.

Covered contractor information system means an information system that is owned, or operated by or for, a contractor and that processes, stores, or transmits covered defense information.

Covered defense information means unclassified information that—

(i) Is—

(A) Provided to the contractor by or on behalf of DoD in connection with the performance of the contract; or

(B) Collected, developed, received, transmitted, used, or stored by or on behalf of the contractor in support of the performance of the contract; and

(ii) Falls in any of the following categories:

(A) *Controlled technical information.*

(B) *Critical information (operations security).* Specific facts identified through the Operations Security process about friendly intentions, capabilities, and activities vitally needed by adversaries for them to plan and act effectively so as to guarantee failure or unacceptable consequences for friendly mission accomplishment (part of Operations Security process).

(C) *Export control.* Unclassified information concerning certain items, commodities, technology, software, or other information whose export could reasonably be expected to adversely affect the United States national security and nonproliferation objectives. To include dual use items; items identified in export administration regulations, international traffic in arms regulations and munitions list; license applications; and sensitive nuclear technology information.

(D) Any other information, marked or otherwise identified in the contract, that requires safeguarding or dissemination

controls pursuant to and consistent with law, regulations, and Governmentwide policies (*e.g.,* privacy, proprietary business information).

Cyber incident means actions taken through the use of computer networks that result in an actual or potentially adverse effect on an information system and/or the information residing therein.

Forensic analysis means the practice of gathering, retaining, and analyzing computer-related data for investigative purposes in a manner that maintains the integrity of the data.

Malicious software means computer software or firmware intended to perform an unauthorized process that will have adverse impact on the confidentiality, integrity, or availability of an information system. This definition includes a virus, worm, Trojan horse, or other code-based entity that infects a host, as well as spyware and some forms of adware.

Media means physical devices or writing surfaces including, but is not limited to, magnetic tapes, optical disks, magnetic disks, large-scale integration memory chips, and printouts onto which information is recorded, stored, or printed within an information system.

Operationally critical support means supplies or services designated by the Government as critical for airlift, sealift, intermodal transportation services, or logistical support that is essential to the mobilization, deployment, or sustainment of the Armed Forces in a contingency operation.

Rapid(ly) report(ing) means within 72 hours of discovery of any cyber incident.

Technical information means technical data or computer software, as those terms are defined in the clause at DFARS *252.227–7013,* Rights in Technical Data-Non Commercial Items, regardless of whether or not the clause is incorporated in this solicitation or contract. Examples of technical information include research and engineering data, engineering drawings, and associated lists, specifications, standards, process sheets, manuals, technical reports, technical orders, catalog-item identifications, data sets, studies and analyses and related information, and computer software executable code and source code.

(b) *Adequate security.* The Contractor shall provide adequate security for all covered defense information on all covered contractor information systems that support the performance of work under this contract. To provide adequate security, the Contractor shall—

(1) Implement information systems security protections on all covered contractor information systems including, at a minimum—

(i) For covered contractor information systems that are part of an Information Technology (IT) service or system operated on behalf of the Government—

(A) Cloud computing services shall be subject to the security requirements specified in the clause 252.239–7010, Cloud Computing Services, of this contract; and

(B) Any other such IT service or system (*i.e.,* other than cloud computing) shall be subject to the security requirements specified elsewhere in this contract; or

(ii) For covered contractor information systems that are not part of an IT service of system operated on behalf of the Government and therefore are not subject to the security requirement specified at paragraph (b)(1)(i) of this clause—

(A) The security requirements in National Institute of Standards and Technology (NIST) Special Publication (SP) 800–171, ''Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations, *http://dx.doi.org/10.6028/NIST.SP.800-171* that is in effect at the time the solicitation is issued or as authorized by the Contracting Officer; or

(B) Alternative but equally effective security measures used to compensate for the inability to satisfy a particular requirement and achieve equivalent protection approved in writing by an authorized representative of the DoD CIO prior to contract award; and

(2) Apply other security measures when the Contractor reasonably determines that such measures, in addition to those identified in paragraph (b)(1) of this clause, may be required to provide adequate security in a dynamic environment based on an assessed risk or vulnerability.

(c) *Cyber incident reporting requirement.*

(1) When the Contractor discovers a cyber incident that affects a covered contractor information system or the covered defense information residing therein, or that affects the contractor's ability to perform the requirements of the contract that are designated as operationally critical support, the Contractor shall—

(i) Conduct a review for evidence of compromise of covered defense information, including, but not limited to, identifying compromised computers, servers, specific data, and user accounts. This review shall also include analyzing covered contractor information system(s) that were part of the cyber incident, as well as other information systems on the Contractor's network(s), that may have been accessed as a result of the incident in order to identify compromised covered defense information, or that affect the Contractor's ability to provide operationally critical support; and

(ii) Rapidly report cyber incidents to DoD at *http://dibnet.dod.mil.*

(2) *Cyber incident report.* The cyber incident report shall be treated as information created by or for DoD and shall include, at a minimum, the required elements at *http://dibnet.dod.mil.*

(3) *Medium assurance certificate requirement.* In order to report cyber incidents in accordance with this clause, the Contractor or subcontractor shall have or acquire a DoD-approved medium assurance certificate to report cyber incidents. For information on obtaining a DoD-approved medium assurance certificate, see *http://iase.disa.mil/pki/eca/certificate.html.*

(d) *Malicious software.* The Contractor or subcontractors that discover and isolate malicious software in connection with a reported cyber incident shall submit the malicious software in accordance with instructions provided by the Contracting Officer.

(e) *Media preservation and protection.* When a Contractor discovers a cyber incident has occurred, the Contractor shall preserve and protect images of all known affected information systems identified in paragraph (c)(1)(i) of this clause and all relevant monitoring/packet capture data for at least 90 days from the submission of the cyber incident report to allow DoD to request the media or decline interest.

(f) *Access to additional information or equipment necessary for forensic analysis.* Upon request by DoD, the Contractor shall provide DoD with access to additional information or equipment that is necessary to conduct a forensic analysis.

(g) *Cyber incident damage assessment activities.* If DoD elects to conduct a damage assessment, the Contracting Officer will request that the Contractor provide all of the damage assessment information gathered in accordance with paragraph (e) of this clause.

(h) *DoD safeguarding and use of contractor attributional/proprietary information.* The Government shall protect against the unauthorized use or release of information obtained from the contractor (or derived from information obtained from the contractor) under this clause that includes contractor attributional/proprietary information, including such information submitted in accordance with paragraph (c). To the maximum extent practicable, the Contractor shall identify and mark attributional/proprietary information. In making an authorized release of such information, the Government will implement appropriate procedures to minimize the contractor attributional/proprietary information that is included in such authorized release, seeking to include only that information that is necessary for the authorized purpose(s) for which the information is being released.

(i) *Use and release of contractor attributional/proprietary information not created by or for DoD.* Information that is obtained from the contractor (or derived from information obtained from the contractor) under this clause that is not created by or for DoD is authorized to be released outside of DoD—

(1) To entities with missions that may be affected by such information;

(2) To entities that may be called upon to assist in the diagnosis, detection, or mitigation of cyber incidents;

(3) To Government entities that conduct counterintelligence or law enforcement investigations;

(4) For national security purposes, including cyber situational awareness and defense purposes (including with Defense Industrial Base (DIB) participants in the program at 32CFR 236); or

(5) To a support services contractor (''recipient'') that is directly supporting Government activities under a contract that includes the clause at 252.204–7009, Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information.

(j) *Use and release of contractor attributional/proprietary information created by or for DoD.* Information that is obtained from the contractor (or derived from information obtained from the contractor) under this clause that is created by or for DoD (including the information submitted

pursuant to paragraph (c) of this clause) is authorized to be used and released outside of DoD for purposes and activities authorized by paragraph (i) of this clause, and for any other lawful Government purpose or activity, subject to all applicable statutory, regulatory, and policy based restrictions on the Government's use and release of such information.

(k) The Contractor shall conduct activities under this clause in accordance with applicable laws and regulations on the interception, monitoring, access, use, and disclosure of electronic communications and data.

(l) *Other safeguarding or reporting requirements.* The safeguarding and cyber incident reporting required by this clause in no way abrogates the Contractor's responsibility for other safeguarding or cyber incident reporting pertaining to its unclassified information systems as required by other applicable clauses of this contract, or as a result of other applicable U.S. Government statutory or regulatory requirements.

(m) *Subcontracts.* The Contractor shall—

(1) Include the substance of this clause, including this paragraph (m), in all subcontracts, including subcontracts for commercial items; and

(2) Require subcontractors to rapidly report cyber incidents directly to DoD at *http://dibnet.dod.mil* and the prime Contractor. This includes providing the incident report number, automatically assigned by DoD, to the prime Contractor (or next higher-tier subcontractor) as soon as practicable.

(End of clause)

■ 15. Add section 252.239–7009 to read as follows:

252.239–7009 Representation of Use of Cloud Computing.

As prescribed in 239.7603(a), use the following provision:

Representation of Use of Cloud Computing (AUG 2015)

(a) *Definition. Cloud computing,* as used in this provision, means a model for enabling ubiquitous, convenient, on-demand network access to a shared pool of configurable computing resources (*e.g.,* networks, servers, storage, applications, and services) that can be rapidly provisioned and released with minimal management effort or service provider interaction. This includes other commercial terms, such as on-demand self-service, broad network access, resource pooling, rapid elasticity, and measured service. It also includes commercial offerings for software-as-a-service, infrastructure-as-a-service, and platform-as-a-service.

(b) The Offeror shall indicate by checking the appropriate blank in paragraph (b) of this provision whether the use of cloud computing is anticipated under the resultant contract.

(c) *Representation.* The Offeror represents that it—

____Does anticipate that cloud computing services will be used in the performance of any contract or subcontract resulting from this solicitation.

____Does not anticipate that cloud computing services will be used in the performance of any contract or subcontract resulting from this solicitation.

(End of provision)

■ 16. Add section 252.239–7010 to read as follows:

252.239–7010 Cloud Computing Services.

As prescribed in 239.7603(b), use the following clause:

Cloud Computing Services (AUG 2015)

(a) *Definitions.* As used in this clause—

Authorizing official, as described in DoD Instruction 8510.01, Risk Management Framework (RMF) for DoD Information Technology (IT), means the senior Federal official or executive with the authority to formally assume responsibility for operating an information system at an acceptable level of risk to organizational operations (including mission, functions, image, or reputation), organizational assets, individuals, other organizations, and the Nation.

Cloud computing means a model for enabling ubiquitous, convenient, on-demand network access to a shared pool of configurable computing resources (*e.g.,* networks, servers, storage, applications, and services) that can be rapidly provisioned and released with minimal management effort or service provider interaction. This includes other commercial terms, such as on-demand self-service, broad network access, resource pooling, rapid elasticity, and measured service. It also includes commercial offerings for software-as-a-service, infrastructure-as-a-service, and platform-as-a-service.

Cyber incident means actions taken through the use of computer networks that result in a compromise or an actual or potentially adverse effect on an information system and/or the information residing therein.

Government data means any information, document, media, or machine readable material regardless of physical form or characteristics, that is created or obtained by the Government in the course of official Government business.

Government-related data means any information, document, media, or machine readable material regardless of physical form or characteristics that is created or obtained by a contractor through the storage, processing, or communication of Government data. This does not include contractor's business records *e.g.* financial records, legal records etc. or data such as operating procedures, software coding or algorithms that are not uniquely applied to the Government data.

Media means physical devices or writing surfaces including, but not limited to, magnetic tapes, optical disks, magnetic disks, large-scale integration memory chips, and printouts onto which covered defense information is recorded, stored, or printed within a covered contractor information system.

Spillage security incident that results in the transfer of classified or controlled unclassified information onto an information system not accredited (*i.e.,* authorized) for the appropriate security level.

(b) *Cloud computing security requirements.* The requirements of this clause are applicable when using cloud computing to provide information technology services in the performance of the contract.

(1) If the Contractor indicated in its offer that it ''does not anticipate the use of cloud computing services in the performance of a resultant contract,'' in response to provision 252.239–7009, Representation of Use of Cloud Computing, and after the award of this contract, the Contractor proposes to use cloud computing services in the performance of the contract, the Contractor shall obtain approval from the Contracting Officer prior to utilizing cloud computing services in performance of the contract.

(2) The Contractor shall implement and maintain administrative, technical, and physical safeguards and controls with the security level and services required in accordance with the Cloud Computing Security Requirements Guide (SRG) (version in effect at the time the solicitation is issued or as authorized by the Contracting Officer) found at *http://iase.disa.mil/cloud_security/Pages/index.aspx;*

(3) The Contractor shall maintain within the United States or outlying areas all Government data that is not physically located on DoD premises, unless the Contractor receives written notification from the Contracting Officer to use another location, in accordance with DFARS 239.7602–2(a).

(c) *Limitations on access to, and use and disclosure of Government data and Government-related data.*

(1) The Contractor shall not access, use, or disclose Government data unless specifically authorized by the terms of this contract or a task order or delivery order issued hereunder.

(i) If authorized by the terms of this contract or a task order or delivery order issued hereunder, any access to, or use or disclosure of, Government data shall only be for purposes specified in this contract or task order or delivery order.

(ii) The Contractor shall ensure that its employees are subject to all such access, use, and disclosure prohibitions and obligations.

(iii) These access, use, and disclosure prohibitions and obligations shall survive the expiration or termination of this contract.

(2) The Contractor shall use Government-related data only to manage the operational environment that supports the Government data and for no other purpose unless otherwise permitted with the prior written approval of the Contracting Officer.

(d) *Cloud computing services cyber incident reporting.* The Contractor shall report all cyber incidents that are related to the cloud computing service provided under this contract. Reports shall be submitted to the Department of Defense via *http://dibnet.dod.mil/.*

(e) *Malicious software.* The Contractor or subcontractors that discover and isolate malicious software in connection with a reported cyber incident shall submit the malicious software in accordance with

instructions provided by the Contracting Officer.

(f) *Media preservation and protection.* When a Contractor discovers a cyber incident has occurred, the Contractor shall preserve and protect images of all known affected information systems identified in paragraph (d) of this clause and all relevant monitoring/packet capture data for at least 90 days from the submission of the cyber incident report to allow DoD to request the media or decline interest.

(g) *Access to additional information or equipment necessary for forensic analysis.* Upon request by DoD, the Contractor shall provide DoD with access to additional information or equipment that is necessary to conduct a forensic analysis.

(h) *Cyber incident damage assessment activities.* If DoD elects to conduct a damage assessment, the Contracting Officer will request that the Contractor provide all of the damage assessment information gathered in accordance with paragraph (f) of this clause.

(i) *Records management and facility access.*

(1) The Contractor shall provide the Contracting Officer all Government data and Government-related data in the format specified in the contract.

(2) The Contractor shall dispose of Government data and Government-related data in accordance with the terms of the contract and provide the confirmation of disposition to the Contracting Officer in accordance with contract closeout procedures.

(3) The Contractor shall provide the Government, or its authorized representatives, access to all Government data and Government-related data, access to contractor personnel involved in performance of the contract, and physical access to any Contractor facility with Government data, for the purpose of audits, investigations, inspections, or other similar activities, as authorized by law or regulation.

(j) *Notification of third party access requests.* The Contractor shall notify the Contracting Officer promptly of any requests from a third party for access to Government data or Government-related data, including any warrants, seizures, or subpoenas it receives, including those from another Federal, State, or Local agency. The Contractor shall cooperate with the Contracting Officer to take all measures to protect Government data and Government-related data from any unauthorized disclosure.

(k) *Spillage.* Upon notification by the Government of a spillage, or upon the Contractor's discovery of a spillage, the Contractor shall cooperate with the Contracting Officer to address the spillage in compliance with agency procedures.

(l) *Subcontracts.* The Contractor shall include the substance of this clause, including this paragraph (l), in all subcontracts that involve or may involve cloud services, including subcontracts for commercial items.

(End of clause)

[FR Doc. 2015–20870 Filed 8–25–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 205, 212, 225, and 252

[Docket No. DARS–2015–0014]

RIN 0750–AI51

Defense Federal Acquisition Regulation Supplement: Acquisition of the American Flag (DFARS Case 2015–D005)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement sections of the Department of Defense Appropriations Acts for Fiscal Years 2014 and 2015 that prohibit use of funds made available under these acts for the purchase or manufacture of a flag of the United States, unless such flag is manufactured in the United States.

DATES: Effective August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Tresa Sullivan, telephone 571–372–6089.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published a proposed rule in the **Federal Register** at 80 FR 10452 on February 26, 2015, to amend the DFARS to implement section 8123 of the Department of Defense Appropriations Act, 2014 (division C, title VIII of Pub. L. 113–76) and section 8119 of the Department of Defense Appropriations Act, 2015 (division C, title VIII of Pub. L. 113–235). These sections prohibit the use of funds appropriated under those acts for the purchase or manufacture of a flag of the United States, unless such flag is treated as a covered item under 10 U.S.C. 2533a(b) (commonly known as the Berry Amendment). With some exceptions, the Berry Amendment restricts the purchase of certain items of food, clothing, fabrics, and hand or measuring tools (whether as end products or components), unless the items have been grown, reprocessed, reused, or produced in the United States. The public comment period ended April 27, 2015, with comments submitted by two respondents in response to the proposed rule.

II. Discussion and Analysis

DoD reviewed the public comments in the development of the final rule. Two responses were received. There are no changes from the substance of the proposed rule. One respondent commended the rule. Another respondent requested flags be purchased from his company in Serbia; however, section 8123 and section 8119 of the DoD Appropriations Acts for 2014 and 2015, respectively, prohibit the use of funds made available under the acts for the purchase or manufacture of a flag of the United States, unless such flag is manufactured in the United States.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* and is summarized as follows:

This rule is necessary to implement sections 8123 and 8119 of the DoD Appropriations Acts for Fiscal Years 2014 and 2015, respectively, and the same provisions in subsequent DoD appropriations acts.

The objective of the rule is to prohibit acquisition of a flag of the United States (Product or Service Code 8345), unless such flag, including the materials and components thereof, is manufactured in the United States, consistent with the requirements at 10 U.S.C. 2533a. The legal basis for the rule is sections 8123 and 8119 of the DoD Appropriations Acts for FYs 2014 and 2015 (Division C of Pub. Laws 113–76 and 113–235, respectively).

No comments were received from the public relative to the initial regulatory flexibility analysis.

DoD does not expect this final rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* Based on data available in the Federal Procurement Data System, there was

only one acquisition of flags from a small business that exceeded the simplified acquisition threshold in fiscal year 2013. There are no reporting or recordkeeping requirements. The rule only requires that if a contractor is to provide flags of the United States to DoD under a contract that exceeds the simplified acquisition threshold, the flags must be manufactured in the United States.

The rule does not duplicate, overlap, or conflict with any other Federal rules. There are no significant alternatives that meet the requirement of the statute.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 205, 212, 225, and 252

Government procurement.

Jennifer L. Hawes,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 205, 212, 225, and 252 are amended as follows:

■ 1. The authority citation for 48 CFR parts 205, 212, 225, and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 205—PUBLICIZING CONTRACT ACTIONS

205.301 [Amended]

■ 2. Amend section 205.301, in paragraph (a)(S–70)(i) introductory text by removing ''225.7002–1(a)(2) through (10)'' and adding ''225.7002–1(a)(1)(ii) through (x)'' in its place.

PART 212—ACQUISITION OF COMMERCIAL ITEMS

■ 3. Amend section 212.301 by—

■ a. Redesignating sections (f)(x)(C) through (BB) as paragraphs (f)(x)(D) through (CC), respectively; and

■ b. Adding a new paragraph (f)(x)(C).

The addition reads as follows:

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(f) * * *

(x) * * *

(C) Use the clause at 252.225–7006, Acquisition of the American Flag, as prescribed in 225.7002–3(c), to comply with section 8123 of the DoD Appropriations Act, 2014 (Pub. L. 113–76, division C, title VIII), and the same provision in subsequent DoD appropriations acts.

* * * * *

PART 225—FOREIGN ACQUISITION

■ 4. Revise the section 225.7002 heading to read as follows:

225.7002 Restrictions on food, clothing, fabrics, hand or measuring tools, and flags.

■ 5. Amend section 225.7002–1 by—

■ a. Redesignating paragraphs (a) and (b) as paragraphs (1) and (2), respectively;

■ b. Redesignating the introductory text as paragraph (a);

■ c. In the newly redesignated paragraph (1), further redesignating paragraphs (1) through (10) as paragraphs (1)(i) through (x), respectively;

■ d. In the newly redesignated paragraph (1)(ii), removing ''PGI 225.7002–1(a)(2)'' and adding ''PGI 225.7002–1(a)(1)(ii)'' in its place;

■ e. In the newly redesignated paragraph (1)(iii), further redesignating paragraphs (i) through (iii) as paragraphs (1)(iii)(A) through (C), respectively;

■ r. In the newly redesignated paragraph (1)(x), removing ''(Federal Supply Class 8465)'' and adding ''(Product or Service Code (PSC) 8465)'' in its place, and removing ''paragraph (a)'' and adding ''paragraph (a)(1)'' in its place;

■ g. In the newly redesignated paragraph (2), removing ''see PGI 225.7002–1(b)'' and adding ''see PGI 225.7002–1(a)(2)'' in its place; and

■ h. Adding a new paragraph (b).

The addition reads as follows:

225.7002–1 Restrictions.

* * * * *

(b) In accordance with section 8123 of the Department of Defense Appropriations Act, 2014 (Pub. L. 113–76, division C, title VIII), and the same provision in subsequent Defense appropriations acts, except as provided in 225.7002–2, do not acquire a flag of the United States (PSC 8345), unless such flag, including the materials and components thereof, is manufactured in the United States, consistent with the requirements at 10 U.S.C. 2533a. This restriction does not apply to the acquisition of any end-items or components related to flying or displaying the flag (*e.g.,* flag poles and accessories).

225.7002–2 [Amended]

■ 6. Amend section 225.7002–2 by—

■ a. In paragraph (l), removing ''Section 8118'' and adding ''section 8118'' in its place;

■ b. In paragraph (m)(1)(i), removing ''Federal Supply Group'' and adding ''Product or Service Group (PSG)'' in its place;

■ c. In paragraph (m)(1)(ii), removing ''Federal Supply Group'' and adding ''PSG'' in its place in two places; and

■ d. In paragraph (m)(1)(iv), removing ''Federal Supply Class'' and adding ''PSC'' in its place.

■ 7. Amend section 225.7002–3 by—

■ a. In the introductory text, removing ''exception'' and adding ''exception at 223.7002–2'' in its place; and

■ b. Adding a new paragraph (c).

The addition reads as follows:

225.7002–3 Contract clauses.

* * * * *

(c) Use the clause at 252.225–7006, Acquisition of the American Flag, in solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items, that are for the acquisition of the American flag, with an estimated value that exceeds the simplified acquisition threshold.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 8. Add section 252.225–7006 to read as follows:

252.225–7006 Acquisition of the American Flag.

As prescribed in 225.7002–3(c), insert the following clause:

ACQUISITION OF THE AMERICAN FLAG (AUG 2015)

(a) *Definition. United States,* as used in this clause, means the 50 States, the District of Columbia, and outlying areas.

(b) If the Contractor is required to deliver under this contract one or more American flags (Product or Service Code 8345), such flag(s), including the materials and components thereof, shall be manufactured in the United States, consistent with the requirements at 10 U.S.C. 2533a (commonly known as the ''Berry Amendment'').

(c) This clause does not apply to the acquisition of any end items or components related to flying or displaying the flag (*e.g.,* flagpoles and accessories).

(End of clause)

[FR Doc. 2015–20873 Filed 8–25–15; 08:45 am]

BILLING CODE 5001 6820–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 211

[Docket No. DARS–2015–0041]

RIN 0750–AI65

Defense Federal Acquisition Regulation Supplement: Item Unique Identification Prescription Correction (DFARS Case 2014–D021)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to correct the prescription for a clause.

DATES: Effective August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Mr. Dustin Pitsch, telephone 571–372–6090.

SUPPLEMENTARY INFORMATION:

I. Background

This final rule corrects the clause prescription at DFARS 211.274–6(a)(1) to reflect a change that was addressed and previously published for public comment in the **Federal Register** for proposed rule 2011–D055, Item Unique Identifier Update, on June 15, 2012 (77 FR 35921). The proposed rule presented edits to the prescription for the clause 252.211–7003, Item Unique Identification and Valuation. One of the changes was inadvertently omitted from the final rule, which was published in the **Federal Register** on December 16, 2013 (78 FR 76067). Due to baseline changes that occurred (in DFARS rule 2012–D001) between the time when the proposed rule was published and the final rule was published, the revision from the proposed rule to the clause prescription was not reflected in the publication of the final rule. One of the public comments received in response to the proposed rule was related to the clause prescription. The comment, which recommended inclusion of clarifying text related to ''real property,'' was addressed in the final rule, had no impact on the clause prescription in the final rule, and is inconsequential to the correction being made in this rule.

The correction to the prescription at DFARS 211.274–6(a)(1) for clause 252.211–7003, Item Unique Identification and Valuation, clarifies that the clause is used in solicitations and contracts that include the furnishing of ''supplies, and for services involving the furnishing of supplies, unless the exceptions at 211.274–2(b) apply.'' The current clause prescription does not directly address the exceptions for use of the clause and instead states that the clause applies to items ''that require item identification or valuation, or both, in accordance with 211.274–2 and 211.274–3.'' This final rule corrects the clause prescription to reflect the changes anticipated by the 2011–D055 proposed rule.

II. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

III. Regulatory Flexibility Act

Initial and final regulatory flexibility analyses were previously prepared consistent with the Regulatory Flexibility Act 5 U.S.C. 601, *et seq.,* under the DFARS Case 2011–D055 proposed and final rules, respectively.

IV. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 211

Government procurement.

Jennifer L. Hawes,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR part 211 is amended as follows:

PART 211—DESCRIBING AGENCY NEEDS

■ 1. The authority citation for 48 CFR part 211 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 2. Amend section 211.274–6 by revising paragraph (a)(1) to read as follows:

211.274–6 Contract clauses.

(a)(1) Use the clause at 252.211–7003, Item Unique Identification and Valuation, in solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items, for supplies, and for services involving the furnishing of supplies, unless the conditions in 211.274–2(b) apply.

* * * * *

[FR Doc. 2015–20876 Filed 8–25–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 217

[Docket No. DARS–2015–0039]

RIN 0750–AI63

Defense Federal Acquisition Regulation Supplement: Contracts or Delivery Orders Issued by a Non-DoD Agency (DFARS Case 2015–D014)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to remove duplicative text relating to contracts or delivery orders issued by a non-DoD Agency and relocate remaining text to conform to the Federal Acquisition Regulation (FAR).

DATES: Effective August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Tresa Sullivan, 571–372–6089.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is amending the DFARS to move the coverage at DFARS subpart 217.78, Contracts or Delivery Orders Issued by a Non-DoD Agency, to DFARS subpart 217.7, Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense. This change will align the DFARS with the same coverage in the FAR. In addition, some duplicative text and definitions for ''non-DoD agency'' and ''non-DoD agency that is an element of the intelligence community'' were removed from the DFARS coverage,

since the subject matter is now addressed in FAR subpart 17.7.

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

The statute that applies to the publication of the Federal Acquisition Regulation is 41 U.S.C. 1707, Publication of Proposed Regulations. Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because it deletes duplicative text and relocates text within the DFARS. These DFARS updates are administrative in nature and therefore do not have a significant cost or administrative impact on contractors or offerors.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule because this final rule does not constitute a significant DFARS revision within the meaning of FAR 1.501–1, and 41 U.S.C. 1707 does not require publication for public comment.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 217

Government procurement.

Jennifer L. Hawes,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR part 217 is amended as follows:

PART 217—SPECIAL CONTRACTING METHODS

■ 1. The authority citation for 48 CFR part 217 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 2. Add subpart 217.7 to read as follows:

Subpart 217.7—Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense

Sec.
217.700 Scope of subpart.
217.701 Definitions.
217.770 Procedures.

Subpart 217.7—Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense

217.700 Scope of subpart.

This subpart—

(a) Implements section 854 of the National Defense Authorization Act for Fiscal Year 2005 (Pub. L. 108–375), section 801 of the National Defense Authorization Act for Fiscal Year 2008 (Pub. L. 110–181), and section 806 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111–84); and

(b) Prescribes policy for the acquisition of supplies and services through the use of contracts or orders issued by non-DoD agencies.

217.701 Definitions.

As used in this subpart—

Assisted acquisition means the type of interagency contracting through which acquisition officials of a non-DoD agency award a contract or a task or delivery order for the acquisition of supplies or services on behalf of DoD.

Direct acquisition means the type of interagency contracting through which DoD orders a supply or service from a Governmentwide acquisition contract maintained by a non-DoD agency.

Governmentwide acquisition contract means a task or delivery order contract that—

(1) Is entered into by a non-defense agency; and

(2) May be used as the contract under which property or services are procured for one or more other departments or agencies of the Federal Government.

217.770 Procedures.

Departments and agencies shall establish and maintain procedures for reviewing and approving orders placed for supplies and services under non-DoD contracts, whether through direct acquisition or assisted acquisition, when the amount of the order exceeds the simplified acquisition threshold. These procedures shall include—

(a) Evaluating whether using a non-DoD contract for the acquisition is in the best interest of DoD. Factors to be considered include—

(1) Satisfying customer requirements;

(2) Schedule;

(3) Cost effectiveness (taking into account discounts and fees). In order to ensure awareness of the total cost of fees associated with use of a non-DoD contract, follow the procedures at PGI 217.703(1)(iii); and

(4) Contract administration (including oversight);

(b) Determining that the tasks to be accomplished or supplies to be provided are within the scope of the contract to be used;

(c) Reviewing funding to ensure that it is used in accordance with appropriation limitations; and

(d) Collecting and reporting data on the use of assisted acquisition for analysis. Follow the reporting requirements in subpart 204.6.

Subpart 217.78 [Removed and Reserved]

■ 3. Remove and reserve subpart 217.78, consisting of sections 217.7800, 217.7801, and 217.7802.

[FR Doc. 2015–20871 Filed 8–25–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 225 and 236

[Docket No. DARS–2015–0019]

RIN 0750–AI52

Defense Federal Acquisition Regulation Supplement: Use of Military Construction Funds (DFARS Case 2015–D006)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD has adopted as final, without change, an interim rule

amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2015, to require offerors bidding on DoD military construction contracts to provide opportunity for competition to American steel producers, fabricators, and manufacturers; and restrict use of military construction funds in certain foreign countries, including countries that border the Arabian Gulf.

DATES: Effective August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Julie Hammond, telephone 571–372–6174.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published an interim rule in the **Federal Register** at 80 FR 15909 on March 26, 2015, to implement sections 108, 111, and 112 of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2015 (division I of the Consolidated and Further Continuing Resolution Appropriations Act, 2015, Pub. L. 113–235), enacted December 16, 2014.

II. Discussion and Analysis

There were no public comments submitted in response to the interim rule. The interim rule has been converted to a final rule, without change.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* and is summarized as follows:

This rule is necessary to require offerors bidding on DoD military construction contracts to provide opportunity for competition to American steel producers, fabricators, and manufacturers, and implement the preference for award only to U.S. firms when awarding certain military construction and architect-engineer contracts to be performed in countries bordering the Arabian Gulf.

The objective of this rule is to implement sections 108, 111, and 112 of the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2015 (division I of Pub. L. 113–235). This rule extends the applicability of the requirement to provide opportunity for competition to American steel producers, fabricators, and manufacturers, and revises the preference for award to U.S. firms of military construction contracts that have an estimated value greater than $1,000,000 and the restriction requiring award only to U.S. firms for architect-engineer contracts that have an estimated value greater than $500,000, to make it applicable to contracts to be performed in a country bordering the Arabian Gulf, rather than a country bordering the Arabian Sea (as required in earlier statutes).

No comments were received from the public relative to the publication of the initial regulatory flexibility analysis in the interim rule.

Section 108 will benefit any small business entities involved in producing, fabricating, or manufacturing steel products to be used in military construction. Sections 111 and 112 will only apply to a very limited number of small entities—those entities that submit offers in response to solicitations for military construction contracts that have an estimated value greater than $1,000,000 and architect-engineer contracts that have an estimated value greater than $500,000, when the contracts are to be performed in countries bordering the Arabian Gulf.

The rule does not impose any additional reporting, recordkeeping, and other compliance requirements.

No alternatives were identified that will accomplish the objectives of the statutes and the rule.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 225 and 236

Government procurement.

Jennifer L. Hawes,

Editor, Defense Acquisition Regulations System.

Accordingly, the interim rule amending 48 CFR parts 225 and 236, which was published at 80 FR 15909 on March 26, 2015, is adopted as a final rule without change.

[FR Doc. 2015–20872 Filed 8–25–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 225 and 252

[Docket No. 2015–0010]

RIN 0750–AI45

Defense Federal Acquisition Regulation Supplement: Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States (DFARS Case 2014–D023)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to provide updates and clarifications regarding requirements for contractor personnel supporting U.S. Armed Forces deployed outside the United States.

DATES: Effective August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Julie Hammond, Telephone 571–372–6174.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published a proposed rule in the **Federal Register** at 80 FR 4850 on January 29, 2015, to update the DFARS clause at 252.225–7040, Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States. No public comments were submitted in response to the proposed rule.

II. Discussion and Analysis

No changes are made to the substance of the final rule. Subsequent to the publication of the proposed rule, however, DFARS subpart 225.74 was redesignated as DFARS 225.3 (see 80 FR

36900 published on June 26, 2015) to align with the coverage in the Federal Acquisition Regulation subpart 25.3. This final rule is updated accordingly to reflect these baseline changes.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* and is summarized as follows:

The rule is needed make the following updates to the clause at the Defense Federal Acquisition Regulation Supplement (DFARS) 252.225–7040, Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States—

- Remove ''humanitarian assistance operations'' from the list of applicable operations covered by the clause because it is a subset of ''peace operations'';
- Clarify that both contractors authorized to accompany the Force (CAAF) and non-CAAF personnel must be made aware of information related to sexual assault offenses;
- Clarify that the section on reporting alleged crimes does not create any rights or privileges that are not authorized by law or DoD policy;
- Update the reference for special area, country, and theater clearance requirements for deploying personnel;
- Update the form used to show vaccinations are current;
- Update the SPOT Web address; and,
- Add the title of DoD Instruction 3020.41.

No comments were received from the public in response to the initial regulatory flexibility analysis.

DoD does not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* The rule updates DFARS clause 252.225–7040, which is required for use in contracts that authorize contractor personnel to support U.S. Armed Forces deployed outside the United States in: (1) Contingency operations; (2) peace operations consistent with Joint Publication 3–07.3; or (3) other military operations or military exercises, when designated by the combatant commander or as directed by the Secretary of Defense.

According to the Federal Procurement Data System (FPDS), DoD awarded 506 contracts in fiscal year 2013 requiring performance overseas in support of contingency, humanitarian or peace operations. Of the 506 contracts, only 76 contracts (15%) were awarded to small businesses. At this time, there is no way of estimating how many contracts may be awarded requiring performance outside the United States in support of other military operations or exercises, when designated by the Combatant Commander. However, the number of small businesses awarded such contracts is expected to be minimal.

The rule does not impose any additional reporting, recordkeeping, and other compliance requirements. DoD did not identify any alternatives that could meet the objectives of the rule.

V. Paperwork Reduction Act

The rule contains information collection requirements that require the approval by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35); however, these changes to the DFARS do not impose additional information collection requirements to the paperwork burden previously approved under OMB Control Number 0704–0460, entitled Synchronized Predeployment and Operational Tracker (SPOT) System.

List of Subjects in 48 CFR Parts 225 and 252

Government procurement.

Jennifer L. Hawes,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 225 and 252 are amended as follows:

■ 1. The authority citation for 48 CFR parts 225 and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 225—FOREIGN ACQUISITION

252.371–5 [Amended]

■ 2. Amend section 225.371–5 by removing paragraph (a)(2) and redesignating paragraphs (a)(3) and (4) as paragraphs (a)(2) and (3), respectively.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 3. Amend section 252.225–7040 by—

■ a. Removing the clause date ''(JUN 2015)'' and adding ''(AUG 2015)'' in its place;

■ b. Removing paragraph (b)(1)(ii) and redesignating paragraphs (b)(1)(iii) and (iv) as paragraphs (b)(1)(ii) and (iii), respectively;

■ c. In paragraph (d)(3) introductory text, removing ''CAAF are aware'' and adding ''CAAF and non-CAAF are aware'' in its place;

■ d. In paragraph (d)(3)(i), removing ''DoDD 6495.01'' and adding ''DoD Directive 6495.01'' in its place;

■ e. Adding paragraph (d)(5)(iii);

■ f. Revising paragraph (e)(1)(ii)(C)(*3*);

■ g. In paragraph (e)(1)(iv), removing ''DoD Directive 4500.54, Official Temporary Duty Abroad, and DoD 4500.54–G, DoD Foreign Clearance Guide'' and adding ''DoD Directive 4500.54E, DoD Foreign Clearance Program'' in its place;

■ h. In paragraph (g)(2), removing ''*https://spot.altess.army.mil/privacy.aspx*'' *and adding* ''*https://spot.dmdc.mil*'' in its place;

■ i. In paragraph (j)(1), removing ''DoD Instruction 3020.41'' and adding ''DoD Instruction 3020.41, Operational Contractor Support'' in its place;

■ j. In paragraph (j)(2), removing ''will-notify'' and adding ''will notify'' in its place; and

■ k. Removing paragraph (q)(2) and redesignating paragraphs (q)(3) and (4) as paragraphs (q)(2) and (3), respectively.

The addition and revision read as follows:

252.225–7040 Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States.

* * * * *

(d) * * *

(5) * * *

(iii) That this section does not create any rights or privileges that are not authorized by law or DoD policy.

* * * * *

(e) * * *

(1) * * *

(ii) * * *

(C) * * *

(*3*) All CAAF and selected non-CAAF, as specified in the statement of work, shall bring to the designated operational area a copy of the U.S. Centers for Disease Control and Prevention (CDC) Form 731, International Certificate of Vaccination or Prophylaxis as Approved by the World Health Organization, (also known as ''shot record'' or ''Yellow Card'') that shows vaccinations are current.

* * * * *

[FR Doc. 2015–20875 Filed 8–25–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No: 110907562–5681–03]

RIN 0648–BB40

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Omnibus Amendment To Simplify Vessel Baselines

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

ACTION: Final rule.

SUMMARY: This final rule announces the approval of the Omnibus Amendment to the Fishery Management Plans of the Northeastern United States and implements the amendment's approved management measures to simplify vessel baselines. The Baseline Amendment eliminates the one-time limit on vessel upgrades and removes gross and net tonnages from the vessel baseline specifications that NMFS considers when determining a vessel's baseline for replacement purposes. Implementing these measures reduces the administrative burden to permit holders and NMFS and has little effect on fleet capacity.

This rule also removes the requirement for vessels to send in negative fishing reports (*i.e.,* ''did not fish'' reports) during months or weeks when vessels were inactive. NMFS no longer needs these reports due to improved trip-level matching. Therefore, NMFS removes this requirement to simplify the regulations and reduce reporting burdens for the industry.

DATES: Effective August 26, 2015.

ADDRESSES: NMFS 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 Amendment, the EA, and the small entity compliance guide are available upon request from John K. Bullard, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930–2298, or available on the Internet at: *http://www.greateratlantic.fisheries.noaa.gov/mediacenter/ongoing/omnibus_amendment_to_simplify_vessel_baselines.html.*

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

SUPPLEMENTARY INFORMATION:

Background

The New England and Mid-Atlantic Fishery Management Councils submitted the Baseline Amendment to NMFS for approval at their November 18, 2014, and October 8, 2014, meetings, respectively. We prepared the amendment on behalf of the Councils. We reviewed and finalized the amendment document to ensure consistency with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the fishery management plans that have vessel baseline requirements, and other applicable laws. NMFS has approved the Baseline Amendment in its entirety.

Baseline regulations currently require that a replacement vessel or an upgrade made to an existing vessel with a limited access permit be within 10 percent of the size (*i.e.,* length, gross tonnage, and net tonnage) and 20 percent of the horsepower of the permit's baseline vessel. In addition, regulations limit permit holders to a one-time upgrade of the vessel size and horsepower specifications.

This final rule eliminates gross and net tonnage from the baseline specifications that NMFS considers when determining a vessel's baseline for replacement purposes. Both the Councils and NMFS consider tonnages the most variable of vessel baseline specifications and; therefore, they have little effect on limiting vessel capacity when compared to length and horsepower restrictions. Eliminating tonnages simplifies the vessel baseline verification and replacement process. In addition, it could reduce the cost burden on the industry if vessel owners only need horsepower verification because eliminating the tonnage baselines will eliminate the need for owners to get a marine survey of their vessel prior to any permit replacement or upgrade transactions.

This final rule removes the one-time limit on vessel upgrades. Eliminating the one-time upgrade limit will provide more flexibility for vessel owners in the selection of replacement vessels and upgrades to existing vessels. Eliminating the one-time limit will also simplify the baseline verification and vessel replacement process for vessel owners and NMFS by eliminating the need to research and document whether a vessel owner used the one-time upgrade during the vessel's entire limited access history.

The Baseline Amendment implemented by this final rule does not modify any other baseline specifications or measures.

This final rule also removes the requirement for vessels to send in negative fishing reports (*i.e.,* ''did not fish'' reports) during months or weeks when vessels are inactive. This change in reporting requirements was not part of the Baseline Amendment. We are removing this requirement under the Secretary's authority at section 305(d) of the Magnuson-Stevens Act to promulgate regulations necessary to carry out Councils' amendments consistently with the Act. Eliminating this requirement simplifies the regulations and reduces reporting burdens for the industry. In the past, these negative fishing reports were necessary to aid in data matching and quota monitoring. In recent years, we updated our monitoring systems at the Greater Atlantic Regional Fisheries Office and these negative fishing reports are no longer necessary. Vessels that fish will still be required to report all trips on a monthly or weekly basis, depending on permits that they retain.

Comments and Responses

NMFS received two comment letters in response to the proposed rule from the Atlantic Offshore Lobstermen's Association and Lund's Fisheries Incorporated. We provide responses below to the issues these commenters raised. NMFS may only approve, disapprove, or partially approve measures in the Baseline Amendment, and cannot substantively amend, add, or delete measures beyond what is necessary under section 305(d) of the Magnuson-Stevens Act to discharge its responsibility to carry out such measures.

Comment 1: Atlantic Offshore Lobstermen's Association was supportive of this action, but it was concerned that the changes in the Baseline Amendment could encourage

additional requests to liberalize the vessel upgrading/replacement regulations. It strongly opposes any further liberalization of vessel baseline requirements because it believes it would result in a large increase in fleet capacity, which would have negative impacts on a number of offshore fisheries.

Response: This action is limited in scope and will not increase the capacity of the fleet. Any changes that would affect fleet capacity must go through both the MAFMC and the NEFMC. NMFS encourages the Atlantic Offshore Lobstermen's Association and all other interested parties to participate in the Council process should the Councils consider any future changes to vessel baseline and capacity issues.

Comment 2: Lund's Fisheries Incorporated supported the amendment, but it asked that we clarify that the baseline specification for fish hold capacity remains in place.

Response: Currently, Tier 1 or Tier 2 limited access mackerel permits have an additional baseline specification for fish hold capacity. This rule does not remove fish hold capacity from the Tier 1 or Tier 2 limited access mackerel baseline specifications.

Classification

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

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

This final rule does not contain policies with federalism or ''takings'' implications, as those terms are defined in E.O. 13132 and E.O. 12630, respectively.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration at the proposed rule stage that this rule will not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis is not required and none has been prepared.

This action contains collection-of-information requirements subject the Paperwork Reduction Act (PRA). The request to remove the collection burden for vessel gross and net tonnages, vessel upgrades, and did not fish report requirements were approved by OMB under the NMFS Greater Atlantic Region Family of Forms (OMB Control No. 0648–0202 and 0648–0212).

Removing tonnages from vessel baselines may simplify or eliminate the need for a permit holder to hire a naval architect to determine and document tonnage if it was not previously established. NMFS estimates the resulting average cost savings of as much as $375 per survey. Removing tonnages and upgrades may negate the need for a permit holder to hire a third party to research the permit's history and prepare the replacement application. Estimates of the costs for these third party services were not available, but NMFS estimates that permit holders spend an average of 3 hours, or $270 in labor costs, preparing vessel replacement applications.

In 2014, NMFS received 92 vessels replacement requests for permits that had baseline requirements for a total cost of $25,875 and 279 burden hours. We estimate that the removal of GRT and NT and the one-time upgrade will reduce the need for surveys and the time involved in preparing a vessel replacement application. We estimate that this change will reduce the cost burden on the industry by $12,750 and 139 burden hours per year for a total of $13,125 and 140 burden hours.

Vessels are no longer required to send in negative fishing reports (*i.e.,* ''did not fish'' reports) during months or weeks when fishing did not occur. Vessel owners are still required to report all fishing trip activity on a monthly or weekly basis, depending on the requirements associated with their vessel permits. The collection of negative fishing reports is no longer needed to determine if a vessel has engaged in fishing activity and submitted required trip reports due to improved trip-level data matching and the expansion of other monitoring systems (*e.g.,* Vessel Monitoring Systems).

The relief of burden estimates for removing this requirement applies to all federally permitted vessels. In 2014, NMFS received approximately 78,294 did not fish reports. We estimated public reporting burden for submitting these reports to average 2 min per response with an associated cost of $0.45. Therefore, the removal of 78,294 did not fish reports reduces total compliance costs by $35,232, and reduce reporting burden by 2,609 hr annually.

The Assistant Administrator for Fisheries has determined that because this rule is relieving restrictions, there is 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 Baseline Amendment final measures upon publication in the **Federal Register**.

This rule relieves restrictions by removing gross tonnage and net tonnage from vessel baseline specifications, removing the one-time baseline size and horsepower upgrade restriction, and removing the requirement for vessels to send in negative fishing reports. Removing gross tonnage and net tonnage from vessel baseline specifications and removing the one-time baseline size and horsepower upgrade restrictions will provide vessel owners the opportunity to replace their vessels on a larger number of compatible vessels. This will give vessel owners more flexibility while not increasing the capacity of the fleet. Removing the requirement to send in negative fishing reports will eliminate the burden of sending in weekly or monthly reports for non-active vessels. Vessel owners will be able to take advantage of these changes immediately upon publication and will not have to wait for the regulations to become effective to finalize vessel sales or upgrades that they may have been looking into during the final development of this action and the proposed rule.

This rule should be implemented quickly because it relieves these restrictions and does not add any measures that require preparation. Immediately upon its implementation it will increase flexibility for the fleet and reduce industry and Federal cost/time burdens for vessel specification verifications, vessel replacement, vessel upgrades, and VTR processing/reporting.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: August 21, 2015.

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.*

§ 648.2 [Amended]

■ 2. In § 648.2, remove the definition of ''Substantially similar harvesting capacity.''

■ 3. In § 648.4, revise paragraphs (a)(1)(i)(E)(*1*), (a)(1)(i)(E)(*2*), (a)(1)(i)(F)(*1*), (a)(1)(i)(F)(*2*), (a)(1)(i)(H), (a)(3)(i)(H), (a)(13)(i)(E)(*1*), (a)(13)(i)(F), and (a)(13)(i)(H) to read as follows:

§ 648.4 Vessel permits.

(a) * * *

(1) * * *

(i) * * *

(E) * * *

(*1*) The replacement vessel's horsepower may not exceed the horsepower of the vessel's baseline specifications by more than 20 percent, as applicable.

(*2*) The replacement vessel's length overall may not exceed the length overall of the vessel's baseline specifications by more than 10 percent, as applicable.

(F) * * *

(*1*) The upgraded vessel's horsepower may not exceed the horsepower of the vessel's baseline specifications by more than 20 percent, as applicable.

(*2*) The upgraded vessel's length overall may not exceed the vessel's baseline length overall by more than 10 percent, as applicable.

* * * * *

(H) *Vessel baseline specifications.* The vessel baseline specifications in this section are the respective specifications (length, horsepower) of the vessel that was initially issued a limited access permit as of the date the initial vessel applied for such permit.

* * * * *

(3) * * *

(i) * * *

(H) *Vessel baseline specifications.* The vessel baseline specifications in this section are the respective specifications (length, horsepower) of the vessel as of March 22, 1999, unless the vessel is in the process of construction or rerigging or under agreement or written contract for construction or rerigging, as of the effective baseline specification date in which case the baseline specifications will be established no later than February 19, 2000.

* * * * *

(13) * * *

(i) * * *

(E) * * *

(*1*) To be eligible for a limited access permit under this section, the replacement vessel's length overall may not exceed the vessel's baseline length overall by more than 10 percent. The replacement vessel must also meet any other applicable criteria under paragraph (a)(13)(i)(F) of this section.

* * * * *

(F) *Upgraded vessel.* A vessel may be upgraded, whether through refitting or replacement, and be eligible to retain or renew a limited access permit, provided that the new length overall of the upgraded vessel does exceed the vessel's baseline length overall by more than 10 percent, as applicable.

* * * * *

(H) *Vessel baseline length.* The vessel baseline length in this section is the overall length of the vessel indicated on the vessel's initial limited access permit as of the date the initial vessel applies for such permit.

* * * * *

■ 4. In § 648.7, revise paragraphs (b)(1)(i) and (f)(2)(i) to read as follows:

§ 648.7 Recordkeeping and reporting requirements.

* * * * *

(b) * * *

(1) * * *

(i) The owner or operator of any vessel issued a valid permit or eligible to renew a limited access permit under this part must maintain on board the vessel, and submit, an accurate fishing log report for each fishing trip, regardless of species fished for or taken, on forms supplied by or approved by the Regional Administrator. If authorized in writing by the Regional Administrator, a vessel owner or operator may submit reports electronically, for example by using a VMS or other media. With the exception of those vessel owners or operators fishing under a surfclam or ocean quahog permit, at least the following information and any other information required by the Regional Administrator must be provided: Vessel name; USCG documentation number (or state registration number, if undocumented); permit number; date/time sailed; date/time landed; trip type; number of crew; number of anglers (if a charter or party boat); gear fished; quantity and size of gear; mesh/ring size; chart area fished; average depth; latitude/longitude (or loran station and bearings); total hauls per area fished; average tow time duration; hail weight, in pounds (or count of individual fish, if a party or charter vessel), by species, of all species, or parts of species, such as monkfish livers, landed or discarded; and, in the case of skate discards, ''small'' (*i.e.,* less than 23 inches (58.42 cm), total length) or ''large'' (*i.e.,* 23 inches (58.42 cm) or greater, total length) skates; dealer permit number; dealer name; date sold, port and state landed; and vessel operator's name, signature, and operator's permit number (if applicable).

* * * * *

(f) * * *

(2) * * *

(i) For any vessel not issued a NE multispecies; Atlantic herring permit; or any Atlantic mackerel, longfin squid, Illex squid, or butterfish permit; fishing vessel log reports, required by paragraph (b)(1)(i) of this section, must be postmarked or received by NMFS within 15 days after the end of the reporting month. For any vessel issued a NE multispecies permit; Atlantic herring permit; or any Atlantic mackerel, longfin squid, Illex squid, or butterfish permit; fishing vessel log reports must be postmarked or received by midnight of the first Tuesday following the end of the reporting week. For the purposes of this paragraph (f)(2)(i), the date when fish are offloaded will establish the reporting week or month the VTR must be submitted to NMFS, as appropriate.

* * * * *

■ 5. In § 648.14, revise paragraphs (b)(4) and (k)(2)(i) to read as follows:

§ 648.14 Prohibitions.

* * * * *

(b) * * *

(4) Fish for, possess, or land species regulated under this part with or from a vessel that is issued a limited access or moratorium permit under § 648.4(a) and that has had the horsepower or length overall of such vessel or its replacement upgraded or increased in excess of the limitations specified in § 648.4(a)(1)(i)(E) and (F).

* * * * *

(k) * * *

(2) * * *

(i) Fish for, possess, or land NE multispecies with or from a vessel that has had the length overall of such vessel, or its replacement, increased or upgraded in excess of limitations specified in § 648.4(a)(1)(i)(E) and (F).

* * * * *

■ 6. In § 648.82, revise paragraphs (l)(1)(ii) and (l)(1)(iii) to read as follows:

§ 648.82 Effort-control program for NE multispecies limited access vessels.

* * * * *

(l) * * *

(1) * * *

(ii) NE multispecies DAS may be transferred only to a vessel with a baseline main engine horsepower rating that is no more than 20 percent greater than the baseline engine horsepower of the transferor vessel. NE multispecies DAS may be transferred only to a vessel with a baseline length overall that is no

more than 10 percent greater than the baseline length overall of the transferor vessel. For the purposes of this program, the baseline horsepower and length overall are those associated with the permit as of January 29, 2004. Upon approval of the transfer, the baseline of the transferee vessel would be the smaller baseline of the two vessels or the vessel owner could choose to adopt the larger baseline of the two vessels provided such an upgrade is consistent with provisions of this paragraph (l)(1)(ii). A vessel that has executed a one-time downgrade of a DAS Leasing Program baseline in accordance with paragraph (k)(4)(xi) of this section is subject to the restrictions of paragraph (k)(4)(xi)(C) of this section.

(iii) The transferor vessel must transfer all of its Federal limited access permits for which it is eligible to the transferee vessel in accordance with the vessel replacement restrictions under § 648.4, or permanently cancel such permits. When duplicate permits exist, *i.e.,* those permits for which both the transferor and transferee vessel are eligible, one of the duplicate permits must be permanently cancelled.

* * * * *

[FR Doc. 2015–21143 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 141021887–5172–02]

RIN 0648–XE139

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is reallocating the projected unused amount of Pacific cod from vessels using jig gear and catcher vessels greater than or equal to 60 feet (18.3 meters) length overall (LOA) using hook-and-line gear to catcher vessels less than 60 feet (18.3 meters) LOA using hook-and-line or pot gear in the Bering Sea and Aleutian Islands management area. This action is necessary to allow the 2015 total allowable catch of Pacific cod to be harvested.

DATES: Effective August 21, 2015 through 2400 hours, Alaska local time (A.l.t.), December 31, 2015.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the Bering Sea and Aleutian Islands (BSAI) according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2015 Pacific cod total allowable catch (TAC) specified for vessels using jig gear in the BSAI is 1,418 metric tons (mt) as established by the final 2015 and 2016 harvest specifications for groundfish in the BSAI (80 FR 11919, March 5, 2015) and one inseason adjustment (80 FR 3496, January 23, 2015).

The Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that jig vessels will not be able to harvest 1,318 mt of the remaining 2015 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(*1*). Therefore, in accordance with § 679.20(a)(7)(iii)(A), NMFS apportions 1,318 mt of Pacific cod to the annual amount specified for catcher vessels less than 60 feet LOA using hook-and-line or pot gear.

The 2015 Pacific cod TAC specified for catcher vessels greater than or equal to 60 feet LOA using hook-and-line gear in the BSAI is 444 mt as established by the final 2015 and 2016 harvest specifications for groundfish in the BSAI (80 FR 11919, March 5, 2015). The Regional Administrator has determined that catcher vessels greater than or equal to 60 feet LOA using hook-and-line gear will not be able to harvest 424 mt of the remaining 2015 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(*3*). Therefore, in accordance with § 679.20(a)(7)(iii)(A), NMFS apportions 424 mt of Pacific cod to catcher vessels less than 60 feet LOA using hook-and-line or pot gear.

The harvest specifications for Pacific cod included in the final 2015 harvest specifications for groundfish in the BSAI (80 FR 11919, March 5, 2015) and inseason adjustment (80 FR 3496, January 23, 2015) are revised as follows: 100 mt for vessels using jig gear, 20 mt for catcher vessels greater than or equal to 60 feet LOA using hook-and-line gear, and 7,880 mt to catcher vessels less than 60 feet LOA using hook-and-line or pot gear.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the reallocation of Pacific cod specified from other sectors to catcher vessels less than 60 feet LOA using hook-and-line or pot gear. Since the fishery is currently open, it is important to immediately inform the industry as to the revised allocations. Immediate notification is necessary to allow for the orderly conduct and efficient operation of this fishery, to allow the industry to plan for the fishing season, and to avoid potential disruption to the fishing fleet as well as processors. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of August 20, 2015.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: August 21, 2015.

Alan D. Risenhoover,

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

[FR Doc. 2015–21137 Filed 8–21–15; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 141021887–5172–02]

RIN 0648–XE140

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; modification of a closure.

SUMMARY: NMFS is opening directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 meters) length overall (LOA) using hook-and-line or pot gear in the Bering Sea and Aleutian Islands Management Area (BSAI). This action is necessary to fully use the 2015 total allowable catch of Pacific cod allocated to catcher vessels less than 60 feet LOA using hook-and-line or pot gear in the BSAI.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), September 1, 2015, through 2400 hrs, A.l.t., December 31, 2015. Comments must be received at the following address no later than 4:30 p.m., A.l.t., September 9, 2015.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2014–0134, by any of the following methods:

- Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2014-0134,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- Mail: Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

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), 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).

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

NMFS closed directed fishing for Pacific cod by catcher vessels less than 60 feet LOA using hook-and-line or pot gear in the BSAI under § 679.20(d)(1)(iii) on February 2, 2015 (80 FR 5992, February 4, 2015).

NMFS has determined that as of August 20, 2015, approximately 1,126 metric tons of Pacific cod remain in the 2015 Pacific cod apportionment for catcher vessels less than 60 feet LOA using hook-and-line or pot gear in the BSAI. Therefore, in accordance with § 679.25(a)(1)(i), (a)(2)(i)(C), and (a)(2)(iii)(D), and to fully use the 2015 total allowable catch (TAC) of Pacific cod in the BSAI, NMFS is terminating the previous closure and is opening directed fishing for Pacific cod by catcher vessels less than 60 feet LOA using hook-and-line or pot gear in the BSAI. The Administrator, Alaska Region, NMFS, (Regional Administrator) considered the following factors in reaching this decision: (1) The current catch of Pacific cod by catcher vessels less than 60 feet LOA using hook-and-line or pot gear in the BSAI and, (2) the harvest capacity and stated intent on future harvesting patterns of vessels in participating in this fishery.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the opening of directed fishing for Pacific cod by catcher vessels less than 60 feet LOA using hook-and-line or pot gear in the BSAI. Immediate notification is necessary to allow for the orderly conduct and efficient operation of this fishery, to allow the industry to plan for the fishing season, and to avoid potential disruption to the fishing fleet and processors. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of August 20, 2015.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

Without this inseason adjustment, NMFS could not allow the fishery for Pacific cod by catcher vessels less than 60 feet LOA using hook-and-line or pot gear in the BSAI to be harvested in an expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until September 9, 2015.

This action is required by § 679.25 and is exempt from review under Executive Order 12866.

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

Dated: August 21, 2015.

Alan D. Risenhoover,

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

[FR Doc. 2015–21145 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 80, No. 165
Wednesday, August 26, 2015

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF ENERGY

10 CFR Part 430

[Docket No. EERE–2013–BT–STD–0006]

RIN 1904–AC55

Energy Efficiency Program for Commercial and Industrial Equipment: Notice of Open Meetings

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

ACTION: Notice of open meetings.

SUMMARY: The U.S. Department of Energy (DOE) announces additional meetings of the Fans and Blowers Working Group. The Federal Advisory Committee Act requires that agencies publish notice of an advisory committee meeting in the **Federal Register**.

DATES: See **SUPPLEMENTARY INFORMATION** section for meeting dates.

ADDRESSES: The meetings will be held at U.S. Department of Energy, Forrestal Building, Room 8E–089, 1000 Independence Avenue SW., Washington, DC 20585. Individuals will also have the opportunity to participate by webinar. To register for the webinar and receive call-in information, please visit: *http://www1.eere.energy.gov/buildings/appliance_standards/rulemaking.aspx?ruleid=25* .

FOR FURTHER INFORMATION CONTACT:

Ashley Armstrong, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies, EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–7935. Email: *asrac@ee.doe.gov.*

Mr. Peter Cochran, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–9496. Email: *peter.cochran@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: The meetings will be held September 1 through September 3, 2015 from 9:00 a.m. to 5:00 p.m. Members of the public are welcome to observe the business of the meeting and, if time allows, may make oral statements during the specified period for public comment. To attend the meeting and/or to make oral statements regarding any of the items on the agenda, email *asrac@ee.doe.gov* . In the email, please indicate your name, organization (if appropriate), citizenship, and contact information. Please note that foreign nationals participating in the public meeting are subject to advance security screening procedures which require advance notice prior to attendance at the public meeting. If a foreign national wishes to participate in the public meeting, please inform DOE as soon as possible by contacting Ms. Regina Washington at (202) 586–1214 or by email: *Regina.Washington@ee.doe.gov* so that the necessary procedures can be completed. Anyone attending the meeting will be required to present a government photo identification, such as a passport, driver's license, or government identification. Due to the required security screening upon entry, individuals attending should arrive early to allow for the extra time needed.

Due to the REAL ID Act implemented by the Department of Homeland Security (DHS) recent changes have been made regarding ID requirements for individuals wishing to enter Federal buildings from specific states and U.S. territories. Driver's licenses from the following states or territory will not be accepted for building entry and one of the alternate forms of ID listed below will be required.

DHS has determined that regular driver's licenses (and ID cards) from the following jurisdictions are not acceptable for entry into DOE facilities: Alaska, Louisiana, New York, American Samoa, Maine, Oklahoma, Arizona, Massachusetts, Washington, and Minnesota.

Acceptable alternate forms of Photo-ID include: U.S. Passport or Passport Card; an Enhanced Driver's License or Enhanced ID-Card issued by the states of Minnesota, New York or Washington (Enhanced licenses issued by these states are clearly marked Enhanced or Enhanced Driver's License); A military ID or other Federal government issued Photo-ID card.

Docket: The docket is available for review at *www.regulations.gov,* including **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials. All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

Issued in Washington, DC, on August 21, 2015.

Kathleen B. Hogan,

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

[FR Doc. 2015–21154 Filed 8–25–15; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2015–0032; FRL–9931–74]

Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing of petitions and request for comment.

SUMMARY: This document announces EPA's receipt of several initial filings of pesticide petitions requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

DATES: Comments must be received on or before September 25, 2015.

ADDRESSES: Submit your comments, identified by the Docket Identification (ID) Number and the Pesticide Petition Number (PP) of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

• *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.* Additional instructions on commenting or visiting the docket, along with more information about dockets generally is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Robert McNally, Director, Biopesticides and Pollution Prevention Division (BPPD) (7511P), main telephone number: (703) 305–7090, email address: *BPPDFRNotices@epa.gov;* or Susan Lewis, Director, Registration Division (RD) (7505P), main telephone number: (703) 305–7090, email address: *RDFRNotices@epa.gov.* The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each pesticide petition summary.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

• Crop production (NAICS code 111).
• Animal production (NAICS code 112).
• Food manufacturing (NAICS code 311).
• Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT** for the division listed at the end of the pesticide petition summary of interest.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *http://www.epa.gov/dockets/comments.html.*

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, EPA seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

II. What action is EPA taking?

EPA is announcing its receipt of several pesticide petitions filed under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, requesting the establishment or modification of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. EPA is taking public comment on the requests before responding to the petitioners. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petitions described in this document contain the data or information prescribed in FFDCA section 408(d)(2), 21 U.S.C. 346a(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. After considering the public comments, EPA intends to evaluate whether and what action may be warranted. Additional data may be needed before EPA can make final determinations on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this document, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available at *http://www.regulations.gov.*

As specified in FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), EPA is publishing notice of the petitions so that the public has an opportunity to comment on these requests for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petitions may be obtained through the petition summaries referenced in this unit.

New Tolerances

1. *PP* 4F8261. (EPA–HQ–OPP–2014–0397). BASF Corp., 26 Davis Dr., Research Triangle Park, NC 27709, requests to establish tolerances in 40 CFR 180.361 for residues of the herbicide pendimethalin in or on milk at 0.04 parts per million (ppm); cattle, fat at 0.30 ppm; cattle, liver at 1.5 ppm; cattle, meat at 0.1 ppm; cattle, meat byproducts, except liver at 3.0 ppm; goat, fat at 0.30 ppm; goat, liver at 1.5 ppm; goat, meat at 0.10 ppm; goat, meat byproducts, except liver at 3.0 ppm; horse, fat at 0.30 ppm; horse, liver at 1.5 ppm; horse, meat at 0.10 ppm; horse, meat byproducts, except liver at 3.0 ppm; sheep, fat at 0.30 ppm; sheep, liver at 1.5 ppm; sheep, meat at 0.10 ppm; and sheep, meat byproducts, except liver at 3.0 ppm. The aqueous organic solvent extraction, column clean up, and quantitation by a gas chromatography (GC) method is used to measure and evaluate pendimethalin and its metabolite. *Contact:* RD.

2. *PP* 4F8284. (EPA–HQ–OPP–2015–0443). Bayer CropScience LP, 2 T.W. Alexander Dr., Research Triangle Park, NC 27709, requests to establish tolerances in 40 CFR 180.661 for residues of the fungicide fluopyram (*N*-[2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl]-2-(trifluoromethyl)benzamide) in or on the raw agricultural commodities artichoke, globe at 4.0 ppm; aspirated grain fractions at 50.0 ppm; peanut hay at 40.0 ppm; hops at 60.0 ppm; root vegetables, except beet, sugar, root, crop subgroup 1B at 0.30 ppm; tuberous and corm vegetables, crop subgroup 1C at 0.10 ppm; potato wet peel at 0.30 ppm; vegetables, leaves of root and tuber, crop group 2 at 30.0 ppm; bulb vegetables, bulb onion (crop subgroup 3–07A) at 0.30 ppm; bulb vegetables, green onions (crop subgroup 3–07B) at 15.0 ppm; leafy greens (crop subgroup 4A), without spinach at 20.0 ppm; leafy greens (crop subgroup 4A) spinach at 40.0 ppm; leafy petioles subgroup,

celery (crop subgroup 4B) at 20.0 ppm; brassica leafy vegetables: Head and stem (crop subgroup 5A) at 4.0 ppm; brassica leafy vegetables: Leafy greens (crop subgroup 5B) at 50.0 ppm; soybean forage at 9.0 ppm; soybean hay at 30.0 ppm; legume vegetables: Edible podded (crop subgroup 6A) at 4.0 ppm; legume vegetables: Succulent shelled peas and beans (crop subgroup 6B) at 0.20 ppm; legume vegetables: Dried shelled peas and beans (crop subgroup 6C) at 0.70 ppm; vegetable, foliage of legume vegetables, forage, hay and vines, forage (crop group 7) at 90.0 ppm; fruiting vegetables, tomato subgroup (crop subgroup 8–10A) at 1.00 ppm; fruiting vegetables, pepper/eggplant subgroup (crop subgroup 8–10B) at 3.00 ppm; cucurbit vegetables (crop group 9A), melon subgroup at 0.90 ppm; cucurbit vegetables (crop group 9B), cucumber/squash subgroup at 0.30 ppm; citrus fruits (crop group 10–10) at 0.90 ppm; citrus oil at 8.0 ppm; pome fruit (crop group 11–10) at 2.0 ppm; stone fruit (crop group 12–12A), cherry subgroup at 2.00 ppm; stone fruit (crop group 12–12B), peach subgroup at 1.00 ppm; stone fruit (crop group 12–12C), plum subgroup at 0.50 ppm; berries and small fruit: Caneberry (crop subgroup 13–07A) at 5.0 ppm; berries and small fruit: Bushberry (crop subgroup 13–07B) at 7.0 ppm; raisins at 4.0 ppm; berries and small fruit, small fruit vine climbing, except fuzzy kiwi (crop subgroup 13–07F) at 1.5 ppm; berries and small fruit: Low growing berry (crop subgroup 13–07G) at 2.0 ppm; sorghum, grain at 1.5 ppm; wheat milled by-products at 2.0 ppm; grass forage, fodder and hay: Forage (crop group 17) at 80.0 ppm; herb crop (subcrop group 19A) at 70.0 ppm; dill seed at 70.00 ppm; herbs, dried at 400 ppm; oilseeds, rapeseed, canola (crop subgroup 20A) at 0.70 ppm; oilseeds, sunflower, seed (crop subgroup 20B) at 0.70 ppm; and oilseeds: Cottonseed (crop subgroup 20C) at 0.80 ppm and in or on the animal commodities chicken, meat byproducts at 0.40 ppm; chicken, fat at 0.15 ppm; chicken, meat at 0.10 ppm; goat, fat at 4.00 ppm; and goat, meat at 4.00 ppm. Bayer CropScience LP also requests to establish a tolerance in 40 CFR 180.661 for indirect or inadvertent residues of the fungicide fluopyram (*N*-[2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl]-2-(trifluoromethyl)benzamide) in or on the raw agricultural commodity sugarcane, cane at 0.08 ppm. High performance liquid chromatography-electrospray ionization/tandem mass spectrometry (LC/MS/MS) is used to measure and evaluate the chemical fluopyram. *Contact:* RD.

3. *PP* 5E8362. (EPA–HQ–OPP–2015–0439). Makhteshim Agan of North America, Inc., d/b/a ADAMA, 3120 Highwoods Blvd., Suite 100, Raleigh, NC 27604, requests to establish a tolerance in 40 CFR 180.427 for residues of the insecticide/miticide tau-fluvalinate in or on wine grapes at 1.0 ppm. The Pesticide Analytical Manual (PAM) Volume II lists Method I, a GC method with electron capture detection (ECD), which is used to measure and evaluate the chemical tau-fluvalinate, cyano-(3-phenoxyphenyl)methyl N-[2-chloro-4-(trifluoromethyl)phenyl]-D-valinate, in or on plant and animal commodities. The stated limits of quantitation are 0.01 ppm for plant commodities (except oil) and animal commodities and 0.02 ppm for oil. In addition, the U.S. Food and Drug Administration (FDA) multi-residue methods published in the PAM Volume I, section 302 and 303, showed an acceptable recovery (≤80%) for tau-fluvalinate. *Contact:* RD.

4. *PP* 5E8363. (EPA–HQ–OPP–2015–0390). Interregional Research Project Number 4 (IR–4), Rutgers University, 500 College Rd. East, Suite 201 W, Princeton, NJ 08540, requests to establish tolerances in 40 CFR 180.494 for residues of the insecticide pyridaben [2-tert-butyl-5-(4-tert-butylbenzylthio)-4-chloropyridazin-3(2H)-one] in or on cucumber at 0.5 ppm; berry, low growing, subgroup 13–07G, except cranberry at 2.5 ppm; fruit, citrus, group 10–10 at 0.5 ppm; fruit, pome, group 11–10 at 0.75 ppm; fruit, small, vine climbing, subgroup 13–07F, except fuzzy kiwifruit at 1.5 ppm; fruit, stone, group 12–12 at 2.5 ppm; and nut, tree, group 14–12 at 0.05 ppm. The proposed analytical methodology for enforcement involves extraction, partition, clean up, and detection of pyridaben residues by gas chromatography/electron capture detector (GC/ECD). The limit of quantitation (LOQ) of pyridaben by the method is 0.01192 ppm, which will allow monitoring of food residues at the level proposed for the tolerances. *Contact:* RD.

5. *PP* 5E8371. (EPA–HQ–OPP–2013–0235). IR–4, Rutgers University, 500 College Rd. East, Suite 201 W, Princeton, NJ 08540, requests to establish tolerances in 40 CFR 180.628 for residues of the insecticide chlorantraniliprole, 3-bromo-*N*-[4-chloro-2-methyl-6-[(methylamino)-carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, in or on the following raw agricultural commodities: Nut, tree, group 14–12 at 0.02 ppm and fruit, stone, group 12–12 at 2.5 ppm. In requesting these tolerances, IR–4 notes that the proposed tolerances represent a lowering of established, related tolerances in or on fruit, stone, group 12–12, except cherry, chickasaw plum, and damson plum at 4.0 ppm and nut, tree, group 14 at 0.04 ppm. Analytical methodology has been developed and validated for enforcement purposes. *Contact:* RD.

6. *PP* 5F8343. (EPA–HQ–OPP–2015–0226). Gowan Co., P.O. Box 5569, Yuma, AZ 85366, requests to establish a tolerance in 40 CFR part 180 for residues of the herbicide benzobicyclon in or on rice (grain, straw) at 0.1 ppm. The practical analytical method LC/MS is used to measure and evaluate the chemical benzobicyclon and the metabolite 1315P–070. *Contact:* RD.

7. *PP* 5F8344. (EPA–HQ–OPP–2015–0324). BASF Corp., 26 Davis Dr., Research Triangle Park, NC 27709, requests to establish tolerances in 40 CFR 180.666 for residues of the fungicide fluxapyroxad in or on citrus, dried pulp at 2.7 ppm; citrus, oil at 19 ppm; fruit, citrus, group 10–10 at 1.0 ppm; grass forage, fodder and hay, group 17 at 30 ppm; nongrass animal feeds, group 18 at 30 ppm; and poultry, fat at 0.005 ppm. Independently validated analytical methods have been submitted for analyzing residues of parent fluxapyroxad (BAS 700 F) plus metabolites M700F008, M700F048, and M700F002 with appropriate sensitivity in/on plant/crop raw agricultural commodities and processed fractions and in animal meat, fat, liver and kidney matrices, skim milk, cream, poultry meat, fat, liver, and eggs for which tolerances have been established or are being proposed. *Contact:* RD.

8. *PP* 5F8359. (EPA–HQ–OPP–2015–0405). ISK Biosciences Corp., 7470 Auburn Rd., Suite A, Concord, OH, 44077, requests to establish tolerances in 40 CFR part 180 for residues of the herbicide tolpyralate 1-[[1-Ethyl-4-[3-(2-methoxyethoxy)-2-methyl-4-(methylsulfonyl)benzoyl]-1H-pyrazol-5-yl]oxy]ethyl methyl carbonate (CAS), including its metabolite MT–2153, in or on the raw agricultural commodities of corn that include field corn, sweet corn, and popcorn at 0.01 ppm. Liquid chromatography-MS/MS is used to measure and evaluate tolpyralate and its metabolite. *Contact:* RD.

9. *PP* 5F8367. (EPA–HQ–OPP–2015–0412). Lewis and Harrison, LLC, 122 C St., NW., Suite 505, Washington, DC 20001 (on behalf of Nissan Chemical Industries, Ltd., 7–1, 3-chome, Kanda-Nishiki-cho, Chiyoda-ku, Tokyo 101–0054, Japan), requests to establish tolerances in 40 CFR 180.441 for residues of the herbicide quizalofop-p-

ethyl in or on crayfish at 0.04 ppm and rice, grain at 0.05 ppm. A modified Morse Method Meth-147 using reverse HPLC with fluorescence detection is used to measure and evaluate the chemical quizalofop-p-ethyl, convertible to 2-methoxy-6-chloroquinoxaline (MeCHQ). *Contact:* RD.

Amended Tolerances

1. *PP* 4F8261. (EPA–HQ–OPP–2014–0397). BASF Corp., 26 Davis Dr., Research Triangle Park, NC 27709, requests to amend the tolerances in 40 CFR 180.361 for residues of the herbicide pendimethalin in or on grass forage, fodder, and hay crop group 17, forage at 1,000 ppm and grass forage, fodder, and hay crop group 17, hay at 2,000 ppm. The aqueous organic solvent extraction, column clean up, and quantitation by a GC method is used to measure and evaluate the chemicals pendimethalin and its metabolite. *Contact:* RD.

2. *PP* 4F8284. (EPA–HQ–OPP–2015–0443). Bayer CropScience LP, 2 T.W. Alexander Dr., Research Triangle Park, NC 27709, requests to amend the tolerances in 40 CFR 180.661 for residues of the fungicide fluopyram (*N*-[2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl]-2-(trifluoromethyl)benzamide) in or on the raw agricultural commodities peanut at 0.20 ppm; sugar beet, roots at 0.09 ppm; soybean, seed at 0.30 ppm; soybean forage at 9.0 ppm; soybean hay at 30.0 ppm; tree nuts (crop group 14) at 0.04 ppm; almond hulls at 10.00 ppm; grain, cereal, except rice and sorghum (crop group 15) at 0.90 ppm; cereal grain, except rice, forage, fodder and straw (crop group 16) at 20.0 ppm; and cotton gin by-product at 30.00 ppm and in or on the animal commodities cattle, meat byproducts at 40.00 ppm; cattle, fat at 4.00 ppm; cattle, meat at 4.00 ppm; milk, cattle at 2.00 ppm; eggs, chicken at 0.20 ppm; hog, meat byproducts at 0.40 ppm; hog, fat at 0.04 ppm; hog, meat at 0.04 ppm; horse, meat byproducts at 40.00 ppm; horse, fat at 4.00 ppm; horse, meat at 4.00 ppm; goat, meat byproducts at 40.00 ppm; sheep, meat byproducts at 40.00 ppm; sheep, fat at 4.00 ppm; and sheep, meat at 4.00 ppm. Bayer CropScience LP also requests to delete tolerances in 40 CFR 180.661 for residues of the fungicide fluopyram (*N*-[2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl]-2-(trifluoromethyl)benzamide) in or on the raw agricultural commodities apple at 0.30 ppm; bean, dry at 0.09 ppm; beet, sugar, roots at 0.04 ppm; apple wet pomace at 0.60 ppm; cherry at 0.60 ppm; grape, wine at 2.0 ppm; potato at 0.02 ppm; strawberry at 1.5 ppm; and watermelon at 1.0 ppm. High performance liquid chromatography-electrospray ionization/tandem mass spectrometry (LC/MS/MS) is used to measure and evaluate the chemical fluopyram. *Contact:* RD.

3. *PP* 5E8363. (EPA–HQ–OPP–2015–0390). IR–4, Rutgers University, 500 College Rd. East, Suite 201 W, Princeton, NJ 08540, requests to remove existing tolerances in 40 CFR 180.494 for residues of the insecticide pyridaben [2-tert-butyl-5-(4-tert-butylbenzylthio)-4-chloropyridazin-3(2H)-one] in or on apple at 0.5 ppm; pear at 0.75 ppm; nut, tree, group 14 at 0.05 ppm; citrus (fruit) at 0.5 ppm; fruit, stone, group 12 at 2.5 ppm; pistachio at 0.05 ppm; grape at 1.5 ppm; and strawberry at 2.5 ppm upon approval of tolerances listed under New Tolerances, Unit II., Number 4, PP 5E8363 as they would be redundant. The proposed analytical methodology for enforcement is gas chromatography/electron capture detector (GC/ECD). The limit of quantitation (LOQ) of pyridaben by the method is 0.01192 ppm, which will allow monitoring of food residues at the level proposed for the tolerances. *Contact:* RD.

4. *PP* 5E8371. (EPA–HQ–OPP–2013–0235). IR–4, Rutgers University, 500 College Rd. East, Suite 201 W, Princeton, NJ 08540, requests to amend the existing tolerances in 40 CFR 180.628 for residues of the insecticide chlorantraniliprole, 3-bromo-*N*-[4-chloro-2-methyl-6-[(methylamino)-carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, in or on the following raw agricultural commodities: Artichoke, globe from 4.0 ppm to 2.0 ppm; and hop, dried cones from 90 ppm to 40 ppm. In requesting these tolerances, IR–4 notes that the proposed amended tolerances for hop, dried cones; and artichoke, globe represent a lowering of established tolerances. Upon establishment of the tolerances associated with PP 5E8371, IR–4 requests to remove the following existing tolerances in 40 CFR 180.628: Nut, tree, group 14 at 0.04 ppm; pistachio at 0.04 ppm; fruit, stone, group 12–12, except cherry, chickasaw plum, and damson plum at 4.0 ppm; cherry, sweet at 2.0 ppm; cherry, tart at 2.0 ppm; plum, chickasaw at 2.0 ppm; and plum, damson at 2.0 ppm. Analytical methodology has been developed and validated for enforcement purposes. *Contact:* RD.

5. *PP* 5F8344. (EPA–HQ–OPP–2015–0324). BASF Corp., 26 Davis Dr., Research Triangle Park, NC 27709, requests to amend the tolerances in 40 CFR 180.666 for residues of the fungicide fluxapyroxad (BAS 700 F) in or on egg from 0.002 ppm to 0.01 ppm and to delete the established tolerance for inadvertent residues for nongrass animal feeds, group 18 at 0.3 ppm. Independently validated analytical methods have been submitted for analyzing residues of parent fluxapyroxad (BAS 700 F) plus metabolites M700F008, M700F048, and M700F002 with appropriate sensitivity in/on plant/crop raw agricultural commodities and processed fractions and in animal meat, fat, liver and kidney matrices, skim milk, cream, poultry meat, fat, liver, and eggs for which tolerances have been established or are being proposed. *Contact:* RD.

New Tolerance Exemptions

1. *PP* 4F8280. (EPA–HQ–OPP–2015–0457). Spring Trading Co., 10805 W. Timberwagon Cir., Spring, TX 77380–4030 (on behalf of CH Biotech R&D Co. LTD, No. 121, Xian an Rd., Xianxi Township, Changhua County 507, Taiwan (R.O.C.) 50741), requests to establish an exemption from the requirement of a tolerance in 40 CFR part 180 for residues of the plant growth regulator betaine in or on all food commodities. The petitioner believes no analytical method is needed because betaine is used as an additive in baby formula as a food supplement and because there was no increased susceptibility demonstrated in the developmental toxicity and reproduction studies. *Contact:* BPPD.

2. *PP* 4F8317. (EPA–HQ–OPP–2015–0420). LidoChem, Inc., 20 Village Ct., Hazlet, NJ 07730, requests to establish an exemption from the requirement of a tolerance in 40 CFR part 180 for residues of the fungicide, nematocide, and plant growth regulator *Bacillus amyloliquefaciens* strain PTA–4838 in or on all food commodities. The petitioner believes no analytical method is needed because it is petitioning for a tolerance exemption. *Contact:* BPPD.

3. *PP* IN–10786. (EPA–HQ–OPP–2015–0373). Dow AgroSciences LLC, 9330 Zionsville Rd., Indianapolis, IN 46268, requests to establish an exemption from the requirement of a tolerance for residues of propanoic acid, 2-methyl-, monoester with 2,2,4-trimethyl-l,3-pentanediol (CAS Reg. No. 25265–77–4) when used as an inert ingredient (solvent, cosolvent) in pesticide formulations applied to growing crops and raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

4. *PP* IN–10792. (EPA–HQ–OPP–2015–0249). Clariant Corp., 4000

Monroe Rd., Charlotte, NC 28205, requests to establish an exemption from the requirement of a tolerance for residues of D-Glucitol, 1-deoxy-1-(methylamino)-, N-C8-10 acyl derivs. (CAS Reg. No. 1591782–62–5) when used as an inert ingredient in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

5. *PP* IN–10807. (EPA–HQ–OPP–2015–0421). Lamberti USA, Inc., 161 Washington St., Suite 1000, Conshohocken, PA 19428, requests to establish an exemption from the requirement of a tolerance for residues of polymers of tamarind seed gum, 2-hydroxypropyl ether or tamarind seed gum, 2-hydroxypropyl ether polymers with a minimum number-average molecular weight (in amu) of 10,000 (CAS Reg. No. 68551–04–2) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

6. *PP* IN–10814. (EPA–HQ–OPP–2015–0376). BASF Corp., 100 Park Ave., Florham Park, NJ 07932, requests to establish an exemption from the requirement of a tolerance for residues of 2-propenoic acid, polymer with ethenylbenzene and (1-methylethenyl)benzene with a minimum number-average molecular weight (in amu) of 2,000 (CAS Reg. No. 52831–04–6) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

7. *PP* IN–10821. (EPA–HQ–OPP–2015–0482). Lamberti USA, Inc., 161 Washington St., Suite 1000, Conshohocken, PA 19428, requests to establish an exemption from the requirement of a tolerance for residues of cellulose carboxymethyl ether, potassium salt with a number-average molecular weight (in amu) from 1,000 to 10,000 (CAS Reg. No. 54848–04–3) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

8. *PP* IN–10826. (EPA–HQ–OPP–2015–0442). BYK USA, Inc., 524 South Cherry St., Wallingford, CT 06492–4453, requests to establish an exemption from the requirement of a tolerance for residues of poly[oxy(methyl-1,2-ethanediyl)], α-[(9Z)-1-oxo-9-octadecen-1-yl]- ω-[[(9Z)-1-oxo-9-octadecen-1-yl]oxy] with a minimum number-average molecular weight (in amu) of 2,300 (CAS Reg. No. 26571–49–3) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

9. *PP* IN–10830. (EPA–HQ–OPP–2015–0465). Spring Trading Co., 203 Dogwood Trl., Magnolia, TX 77354 (on behalf of Croda, Inc., 315 Cherry Ln., New Castle, DE 19720), requests to establish an exemption from the requirement of a tolerance for residues of polyester polyol polymers with a minimum number-average molecular weight (in amu) greater than 1,000 (CAS Reg. Nos. 68562–93–6, 943440–33–3, 1681043–28–6, 1681043–31–1, 1681043–33–3, 1685270–83–0, 1685270–84–1, 1685270–99–8, 1685271–01–5, 1685271–02–6, and 1685271–04–8) when used as inert ingredients in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

10. *PP* IN–10834. (EPA–HQ–OPP–2015–0451). Spring Trading Co., 203 Dogwood Trl., Magnolia, TX 77354 (on behalf of Croda, Inc., 315 Cherry Ln., New Castle, DE 19720), requests to establish an exemption from the requirement of a tolerance for residues of polyamide ester polymers with a minimum number-average molecular weight (in amu) greater than 1,000 (CAS Reg. Nos. 678991–29–2, 363162–42–9, 951153–32–5, 1699751–19–3, 1699751–23–9, 1699751–24–0, 1699751–25–1, 1699751–28–4, 1699751–29–5, 1699751–31–9, and 1685271–04–8) when used as inert ingredients in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

11. *PP* IN–10837. (EPA–HQ–OPP–2015–0485). Stepan Co., 22 West Frontage Rd., Northfield, IL 60093, requests to establish an exemption from the requirement of a tolerance for residues of α-[2,4,6-tris[1-(phenyl)ethyl]phenyl]- ω-hydroxy poly(oxyethylene) poly(oxypropylene) copolymer, the poly(oxypropylene) content averages 2–8 moles, the poly(oxyethylene) content averages 16–30 moles, with a minimum number-average molecular weight (in amu) of 1,500 (CAS Reg. No. 70880–56–7) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

Amended Tolerance Exemption

1. *PP* 4F8266. (EPA–HQ–OPP–2014–0918). Valent BioSciences Corp., 870 Technology Way, Libertyville, IL 60048, requests to amend an exemption from the requirement of a tolerance in 40 CFR 180.1156 for residues of the fungicide, insecticide, algaecide, and nematocide cinnamaldehyde in or on all food commodities. The petitioner believes no analytical method is needed because residues of cinnamaldehyde have previously been granted an exemption from the requirement of a tolerance in the **Federal Register** of February 17, 1999 (64 FR 7804) (FRL–6049–9) (corrected in the **Federal Register** of March 24, 1999 (64 FR 14099) (FRL–6069–2)). *Contact:* BPPD.

Authority: 21 U.S.C. 346a.

Dated: August 11, 2015.

R. McNally,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 2015–21188 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 223 and 224

[Docket No. 120425024–5724–05]

RIN 0648–XB089

Endangered and Threatened Species; Identification and Proposed Listing of Eleven Distinct Population Segments of Green Sea Turtles (*Chelonia mydas*) as Endangered or Threatened and Revision of Current Listings; Third Extension of Comment Period

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; United States Fish and Wildlife Service (USFWS), Interior.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On March 23, 2015, NMFS and USFWS (or the Services) published a proposed rule to revise the listings of the green sea turtle (*Chelonia mydas;* hereafter referred to as the green turtle) under the Endangered Species Act (ESA). We opened a public comment period that lasted through June 22, 2015. On June 17, 2015, we published a document extending the public comment period through July 27, 2015. On July 27, 2015, we published a document again extending the public comment period to August 26, 2015. Having received a request to further extend the comment period, with this document we further extend the comment period to September 25, 2015.

DATES: The comment period for the notice of proposed rulemaking published on March 23, 2015 (80 FR 15271), is extended. Comments and information regarding this proposed rule must be received by close of business on September 25, 2015.

ADDRESSES: You may submit comments on the proposed rule, identified by NOAA–NMFS–2012–0154, by any of the following methods:

• Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal.

1. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2012-0154,*

2. Click the ''Comment Now!'' icon, complete the required fields, and

3. Enter or attach your comments.

OR

• Mail: Submit written comments to Green Turtle Proposed Listing Rule, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Room 13535, Silver Spring, MD 20910; or Green Turtle Proposed Listing Rule, U.S. Fish and Wildlife Service, North Florida Ecological Services Office, 7915 Baymeadows Way, Suite 200, Jacksonville, FL 32256.

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 the Services. All comments received will be 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. The Services will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous). The proposed rule is available electronically at *http://www.nmfs.noaa.gov/pr/species/turtles/green.htm* and *http://www.fws.gov/northflorida/seaturtles/turtle%20factsheets/green-sea-turtle.htm.*

FOR FURTHER INFORMATION CONTACT: Jennifer Schultz, NMFS (ph. 301–427–8443, email *jennifer.schultz@noaa.gov*), or Ann Marie Lauritsen, USFWS (ph. 904–731–3032, email *annmarie_lauritsen@fws.gov*). Persons who use a Telecommunications Device for the Deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, 24 hours a day, and 7 days a week.

SUPPLEMENTARY INFORMATION:

Background

The green turtle is currently listed under the ESA as a threatened species globally, with the exception of the Florida and Mexican Pacific coast breeding populations, which are listed as endangered. On March 23, 2015 (80 FR 15271), the Services published a proposed rule to revise these listings because we found that the green turtle is composed of 11 distinct population segments (DPSs) that qualify for listing under the ESA. We proposed to remove the current listings and, in their place, list eight DPSs as threatened and three as endangered. We also proposed to apply existing protective regulations to the DPSs and to continue the existing critical habitat designation (*i.e.,* waters surrounding Culebra Island, Puerto Rico) in effect for the North Atlantic DPS. We solicited comments on these proposed actions and indicated that comments must be received by June 22, 2015. On June 7, 2015 (80 FR 34594), we announced additional public hearings and extended the public comment period through July 27, 2015. On July 27, 2015 (80 FR 44322), we extended the public comment period through August 26, 2015, due to a typhoon and the loss of internet in Saipan, Commonwealth of the Northern Mariana Islands (CNMI). On August 17, 2015, we received a request to further extend the public comment period due to another typhoon and the loss of electricity in CNMI. We concur with this request and hereby extend the public comment period by an additional 30 days, until September 25, 2015. Previously submitted comments do not need to be resubmitted.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: August 19, 2015.

Samuel D. Rauch III,

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

Dated: August 18, 2015.

James W. Kurth,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 2015–21150 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 80, No. 165

Wednesday, August 26, 2015

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

August 21, 2015.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by September 25, 2015 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725—17th Street NW., Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Copies of the submission(s) may be obtained by calling (202) 720–8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Animal and Plant Health Inspection Service

Title: Importation of Small Lots of Seeds Without Phytosanitary Certificates.

OMB Control Number: 0579–0285.

Summary of Collection: Under the Plant Protection Act (PPA) (7 U.S.C. 7701–7772), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests into the United States or their dissemination within the United States. The regulations contained in ''Subpart-Nursery Stock, Plants, Roots, Bulbs, Seed, and Other Plant Products'' (7 CFR 319.37 through 319.37–14), prohibit or restrict, among other things, the importation of living plants, plant parts, and seed for propagation. These regulations allow small lots of seed to be imported into the United States under an import permit with specific conditions, including seed packet labeling, as an alternative to a phytosanitary certificate requirement.

Need and Use of the Information: APHIS' Plant Protection and Quarantine Program will collect information using PPQ form 587 from person wishing to import regulated articles such as small lots of seed to request a permit from APHIS. On the form the requestor provides contact information as well as specifics about the regulated article such as the country of origin, the quantity and names of articles, means of importation, and their port of entry arrival. APHIS uses this information to determine if a permit should be issued and, if so, uses the information to issue said permit. A certificate of inspection in the form of a label is required to be attached to each carton of the articles and to an airway bill of lading or delivery tick accompanying the articles. Each seed packet must be clearly labeled with the name of the collector/shipper, the country or origin, and the scientific name at least to the genus level, and preferably to the species level. Without the information APHIS could not verify that imported nursery stock does not present significant risk of introducing plant pests and plant disease into the United States.

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

Number of Respondents: 400.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 400.

Title: Citrus Greening and Asian Citrus Psyllid; Quarantine and Interstate Movement Regulations.

OMB Control Number: 0579–0363.

Summary of Collection: The Plant Protection Act (7 U.S.C. 7701 *et seq.*) authorizes the Secretary of Agriculture either independently or in cooperation with the States, to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests (such as citrus canker) new or widely distributed throughout the United States. The Animal and Plant Health Inspection Service (APHIS) amended the ''Domestic Quarantine Notices'' in 7 CFR part 301 by adding a new subpart, ''Citrus Greening and Asian Citrus Psyllid (ACP)'' (§§ 301.76 through 301.76–11). Citrus greening, also known as Huanglonghing disease of citrus, is considered to be one of the most serious citrus diseases in the world.

Need and Use of the Information: APHIS will collect information using the following activity to address the risk associated with the interstate movement of citrus nursery stock and other regulated articles from areas quarantined for citrus greening: Limit Permit (PPO Form 530), Federal Certificate (PPO Form 540), Compliance Agreement (PPO Form 519), Label Statement, Recordkeeping, Attaching Tag to Bill of Lading, Cancellation of Certificates, Permits, and Compliance Agreements and 72 Hour Notification of Inspection. Failing to collect this information could cause a severe economic loss to the citrus industry.

Description of Respondents: Business or other for-profit.

Number of Respondents: 621.

Frequency of Responses:

Recordkeeping; Reporting: On occasion.

Total Burden Hours: 1.790.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2015–21121 Filed 8–25–15; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF COMMERCE

Census Bureau

Proposed Information Collection; Comment Request; Boundary and Annexation Survey

AGENCY: Census Bureau, 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, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: To ensure consideration, submit written comments, on or before October 26, 2015.

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: Direct requests for additional information or copies of the information collection instrument(s) and instructions to Laura Waggoner, U.S. Census Bureau, 4600 Silver Hill Road, Washington, DC 20233 (or via the Internet at *laura.l.waggoner@census.gov*).

SUPPLEMENTARY INFORMATION:

I. Abstract

The Census Bureau conducts the Boundary and Annexation Survey (BAS) to collect and maintain information about the inventory of legal boundaries and legal actions affecting the boundaries of counties and equivalent entities, incorporated places, minor civil divisions (MCDs), and federally recognized legal American Indian and Alaska Native areas. This information provides an accurate identification of geographic areas for the Census Bureau to use in conducting the Decennial and Economic Censuses and ongoing surveys, preparing population estimates, and supporting other statistical programs of the Census Bureau and the legislative programs of the Federal government.

Through the BAS, the Census Bureau asks each government to review materials for its jurisdiction to verify the correctness of the information portrayed. The Census Bureau requests that each government update the boundaries, supply information documenting each legal boundary change, and provide changes in the inventory of governments. The Census Bureau has a national implementation of the BAS, but each state's laws are reviewed for inclusion in the processing procedures. In addition, if it comes to the Census Bureau's attention that an area of non-tribal land is in dispute between two or more jurisdictions, the Census Bureau will not make annexations or boundary corrections until the parties come to a written agreement, or there is a documented final court decision regarding the matter and/or dispute. If there is a dispute over an area of tribal land, the Census Bureau will not make additions or boundary corrections until supporting documents are provided, or the U.S. Department of the Interior issues a comment. If necessary, the Census Bureau will request clarification regarding current boundaries, particularly if supporting documentation pre-dates 1990, from the U.S. Department of the Interior, Office of the Solicitor.

The BAS universe and mailing materials vary depending both upon the needs of the Census Bureau in fulfilling its censuses and household surveys, and upon budget constraints. Counties or equivalent entities, federally recognized American Indian reservations (AIRs), Off-Reservation Trust Lands (ORTLs), and Tribal Subdivisions are included in every survey.

In the years ending in 8, 9 and 0, the BAS includes all governmentally active counties and equivalent entities, incorporated places, legally defined MCDs, and legally defined federally recognized American Indian and Alaska Native areas (including the Alaska Native Regional Corporations). Each governmental entity surveyed will receive materials covering its jurisdiction and one or more forms. These three years coincide with the Census Bureau's preparation for the Decennial Census. There are fewer than 40,000 governments in the universe each year.

In all other years, the BAS reporting universe includes all legally defined federally recognized American Indian and Alaska Native areas, all governmental counties and equivalent entities, MCDs in the six New England States and those incorporated places that have a population of 2,500 or greater. The reporting universe is approximately 14,000 governments due to budget constraints. The Census Bureau only follows up on a subset of governments designated as the reporting universe.

In the years ending in 1 through 7, the Census Bureau may enter into agreements with individual states to modify the universe of MCDs and/or incorporated places to include additional entities that are known by that state to have had boundary changes, without regard to population size. Each year, the BAS will also include a single respondent request for municipio, barrio, barrio-pueblo, and subbarrio boundary and status information in Puerto Rico and Hawaiian Homeland boundary and status information in Hawaii.

In the years ending in 6 through 9, state participants in the Redistricting Data Program (RDP) may request coordination between the BAS and RDP submissions for the Block Boundary Suggestion Project (BBSP) and Voting District Project (VTDP). The alignment of the BAS with the BBSP and VTDP will facilitate increased cooperation between state and local governments and provide the opportunity to align their effort with updates from state and local government officials participating in the BAS.

No other Federal agency collects these data nor is there a standard collection of this information at the state level. BAS is a unique survey providing a standard result for use by federal, state, local, and tribal governments and by commercial, private, and public organizations.

II. Method of Collection

The Census Bureau has developed and continues to use several methods to collect information on status and updates for legal boundaries. These methods are:

- State Certification
- Memorandum of Understanding (MOU)
- Consolidation Agreements
- Annual Response
- Paper BAS
- Digital BAS
- Boundary Quality Assessment Reconciliation Project (BQARP)
- Research Projects

State Certification

Through the BAS State Certification program, the Census Bureau invites the Governor-appointed State Certifying Official (SCO) from each state, to review the boundary and governmental unit information collected during the

previous BAS cycle. The purpose of the State Certification program is to verify the accuracy and validate the BAS information with state governments for incorporated places received from the previous BAS cycle. The CensusBureau requests the SCOs review data files, including the attribute data, legal boundary changes, as well as the legal names and functional statuses of incorporated places and MCDs, and any new incorporations or disincorporations reported through the BAS. A SCO may request that the Census Bureau edit the attribute data, add missing records, or remove invalid records if their state government maintains an official record of all effective changes to legal boundaries and governmental units as mandated by state law. State Certification packages contain a letter to the Governor, a State Certifying Official Letter, a Discrepancy Letter, and a State Certification Respondent Guide.

MOU

In states with legislation requiring local governments to report all legal boundary updates to a state agency, state officials may enter into a MOU with the Census Bureau. States have the option to report to the Census Bureau the list of governments with known legal boundary changes and the Census Bureau will include in the BAS only those governments with known boundary changes or the state may report the legal boundary changes directly to the Census Bureau on behalf of the governments. The Census Bureau will not survey the local governments if the state reports for them. The Census Bureau will send a reminder email notification to the governments requesting them to report to the state contact, per MOU. The MOU, as agreed uponby the state and the Census Bureau, will outline the terms of the survey and reporting for governments.

Consolidation Agreements

Consolidation agreements allow state and county government officials, in states where there are no legislative requirements for local governments to report their legal updates to the state or county, the opportunity to reduce the response burden for their local governments. Under a consolidation agreement, a state or county responds to the BAS for the local governments that agree to allow the state or county to respond on their behalf. The Census Bureau sends the BAS materials to the state or county, as appropriate, and sends a reminder notification to the local government to report their updates to their BAS consolidator.

Annual Response

Annual Response involves an announcement email letter and a one-page form for the state and county governments that do not have a consolidation agreement. Through Annual Response, county, tribal, and local governments indicate whether they have boundary changes to report and provide a current contact person. The Census Bureau requests governments to reply online or through email. The Annual Response method reduces cost and respondent burden through savings on materials and effort. All governments receive this notification regardless of population size. The Census Bureau will conduct telephone follow-up only to governments in the reporting universe due to budget constraints.

If a government requests materials through Annual Response, they may choose to download digital materials or have the materials shipped as a traditional paper package or digital media types.

Paper BAS

For the traditional paper package, the respondent completes the BAS form and draws the boundary updates on the maps using pencils provided in the package. The package contains large format maps, printed forms and supplies to complete the survey.

The typical BAS package contains:

1. Introductory letter from the Director of the Census Bureau;
2. Appropriate BAS Form(s) that contains entity-specific identification information;
   a. BAS–1: incorporated places and consolidated cities;
   b. BAS–2: counties, parishes, and boroughs;
   c. BAS–3: MCDs;
   d. BAS–5: American Indian and Alaska Native Areas.
3. BAS Respondent Guide;
4. Set of maps;
5. Return postage-paid envelope to submit boundary changes;
6. Postcard to notify the Census Bureau of no changes to the boundary; and
7. Supplies for updating paper maps.

Digital BAS

Digital BAS includes options to receive software and spatial data to make boundary updates or to make boundary updates electronically by submitting a digital file. A local contact from each government verifies the legal boundary, and then provides boundary changes and updated contact information. An official signs the materials, verifies the forms, and returns the information to the Census Bureau.

The typical Digital BAS package contains:

1. Introductory letter from the Director of the Census Bureau;
2. Appropriate BAS Form(s) that contains entity-specific identification information;
   a. BAS–1: incorporated places and consolidated cities;
   b. BAS–2: counties, parishes, and boroughs;
   c. BAS–3: MCDs; and
   d. BAS–5: American Indian and Alaska Native Areas.
3. CD or DVD and software CD for Geographic Update Partnership Software (GUPS); and
4. Postcard to notify the Census Bureau of no changes to the boundary.

The key dates for governments are as follows:

1. Annual Response emailed or mailed to the local contact in December of each year.
2. BAS package/materials shipped during the months of December, January, February, March, and April of each year.
3. Requests to change the method of participation (*i.e.,* paper to digital submission and vice versa) are due by April 15th of each year.
4. Responses for inclusion in the American Community Survey (ACS) and Population Estimates Program (PEP) are due by March 1st of each year, with an effective date of January 1st of the year in question or earlier.
5. Responses for inclusion in the following year's BAS materials are due by May 31st of each year and will include any annexation received from the previous or current year.
6. In year 2020, all legal documentation for inclusion in the 2020 Census must be effective as of January 1, 2020 or earlier. All legal boundary changes will be placed on hold and updated during the 2021 BAS if effective January 2, 2020 or later.

BQARP

To improve boundary quality in the Census Bureau's Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) System, the Census Bureau is introducing the Boundary Quality Assessment Reconciliation Project (BQARP) to support the BAS program. BQARP is a project to assess, analyze, and improve the spatial quality of legal and administrative boundaries within MAF/TIGER. Ensuring quality boundaries is a critical component of the geographic preparations for the 2020 Census and the Census Bureau's

ongoing Geographic Partnership Programs (GPPs) and surveys. In addition, the improvement of boundary quality is an essential element of the Census Bureau's commitment as the responsible agency for legal boundaries under the Office of Management and Budget (OMB) Circular A–16. The goal of BQARP is to establish a new, accurate baseline for boundaries within an entire state or county, which the BAS would then continue the collection of annexations and de-annexations on a transaction basis as they occur over time. The estimated work burden for participation is 25 hours per participant.

Research Projects

BAS continues to work to improve the survey based on feedback received from local governments. The Census Bureau plans to conduct two research projects during 2016. The first research project is for BAS form redesign for potential use for the 2017 BAS Forms. The second research project is to test an option for local governments to provide a list of addresses associated with an annexation to continue to improve data quality in MAF/TIGER. Participation is voluntary for these research projects. The estimated work burden for participation is 3 hours per participant.

III. Data

OMB Control Number: 0607–0151.

Form Number: BAS 1, BAS 2, BAS 3, BAS 5, BAS 6, BASSC–1, BASSC–2, BASSC–3, and BASSC–4.

Type of Review: Regular submission.

Affected Public: All active, functioning counties or statistically equivalent entities, incorporated places (including consolidated cities), MCDs, all federally recognized AIRs and ORTLs entities in the United States, and municipios, barrios and subbarrios in Puerto Rico.

Estimated Number of Respondents:

Annual Response Notification: 39,400.

No Change Response: 25,000.

Telephone Follow-up: 14,000.

Packages with Changes: 5,000.

State Certification Review: 49.

State Certification Local Review: 1,000.

Boundary Quality Assessment Reconciliation Project: 16.

Redistricting Data Program Reconciliation State Review: 50.

Redistricting Data Program Reconciliation Local Review: 2,000.

Research Projects: 40.

Estimated Total Number of Respondents: 86,555.

Estimated Time per Response:

Annual Response Notification: 30 minutes.

No Change Response: 4 hours.

Telephone Follow-up: 30 minutes.

Packages with Changes: 8 hours.

State Certification Review: 10 hours.

State Certification Local Review: 2 hours.

Boundary Quality Assessment Reconciliation Project: 25 hours.

Redistricting Data Program Reconciliation State Review: 20 hours.

Redistricting Data Program Reconciliation Local Review: 2 hours.

Research Projects: 3 hours.

Estimated Total Burden Hours per Year:

Annual Response Notification: 19,700.

No Change Response: 100,000.

Telephone Follow-up: 7,000.

Packages with Changes: 40,000.

State Certification Review: 490.

State Certification Local Review: 2,000.

Boundary Quality Assessment Reconciliation Project: 400.

Redistricting Data Program Reconciliation State Review: 1,000.

Redistricting Data Program Reconciliation Local Review: 4,000.

Research Projects: 120.

Estimated Total Burden Hours: 174,710.

Estimated Total Annual Cost to Public: $0.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C. Section 6.

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.

Summarization of comments submitted in response to this notice will be included in the request for OMB approval of this information collection. Comments will also become a matter of public record.

Dated: August 21, 2015.

Glenna Mickelson,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2015–21106 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–022]

Certain Uncoated Paper From the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (Department) preliminarily determines that certain uncoated paper (uncoated paper) from the People's Republic of China (PRC) is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is July 1, 2014, through December 31, 2014. The estimated weighted-average dumping margins of sales at LTFV are shown in the ''Preliminary Determination'' section of this notice. Interested parties are invited to comment on this preliminary determination.

DATES: *Effective date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore or Paul Stolz, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington DC 20230; telephone: (202) 482–3692 or (202) 482–4474, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published a notice of initiation of this investigation on February 18, 2015.[1] For a complete description of the events that followed the initiation of this investigation, see the memorandum that is dated concurrently with this determination and hereby adopted by this notice.[2] The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and

[1] *See Certain Uncoated Paper From Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Initiation of Less-Than-Fair-Value Investigations,* 80 FR 8608 (February 18, 2015) (*Initiation Notice*).

[2] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled ''Decision Memorandum for the Preliminary Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Indonesia'' (Preliminary Decision Memorandum), dated concurrently with this notice.

Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov*, and to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The product covered by this investigation is uncoated paper from the PRC. For a full description of the scope of this investigation, see the ''Scope of the Investigation,'' in Appendix I of this notice.

Scope Comments

Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* For discussion of those comments, see the Preliminary Decision Memorandum.[3]

Postponement of Deadline for Preliminary Determination

On May 15, 2015, the petitioners [4] made timely requests for a 50-day postponement of the preliminary determination in this investigation pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e).[5] On June 1, 2015, we postponed the preliminary determination by 50 days, to August 19, 2015.[6]

Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. There is one mandatory respondent participating in this investigation, Asia Symbol (Guangdong) Paper Co., Ltd., (AS Guangdong), Greenpoint Global Trading (Macao Commercial Offshore) Ltd., (Greenpoint), and Asia Symbol (Shandong) Pulp & Paper Co., Ltd. (AS Shandong (collectively, Asia Symbol). Export price for this company is calculated in accordance with section 772 of the Act. Because the PRC is a nonmarket economy within the meaning of section 771(18) of the Act, normal value (NV) has been calculated in accordance with section 773(c). Specifically, the Department preliminarily selected South Africa as the surrogate country, which is at the same level of economic development as the PRC and is a significant producer of comparable merchandise. Thus, we calculated NV using South African prices, when available, to value the respondent's factors of production (FOPs). For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.

Because mandatory respondents Shandong Sun Paper Industry Joint Stock Co., Inc. (Sun Paper), and UPM (China) Co., Ltd. (UPM) failed to respond to the Department's questionnaire, we preliminarily determine to apply adverse facts available (AFA) to these respondents, in accordance with sections 776(a) and (b) of the Act and 19 CFR 351.308. As a part of the application of AFA, we are treating these mandatory respondents as part of the PRC-wide entity. Further, because the PRC-wide entity also failed to cooperate to the best of its ability in complying with our requests for information,[7] we determined an estimated weighted-average dumping margin based on adverse facts available for the PRC-wide entity, which includes the mandatory respondents. For further discussion, see the Preliminary Decision Memorandum.

Combination Rates

In the *Initiation Notice,* the Department stated that it would calculate combination rates for the respondents that are eligible for a separate rate in this investigation. Policy Bulletin 05.1 describes this practice.

Preliminary Determination

The Department preliminarily determines that the following weighted-average dumping margins exist:

Exporter	Producer	Weighted-average dumping margin (percent)
Greenpoint Global Trading (Macao Commercial Offshore) Ltd ..	Asia Symbol (Guangdong) Paper Co., Ltd.; and Asia Symbol (Shandong) Pulp & Paper Co., Ltd.	97.48
PRC-Wide Entity	.....	193.30

As detailed in the Preliminary Decision Memorandum, Sun Paper and UPM did not demonstrate that they are entitled to a separate rate. Accordingly, we consider Sun Paper and UPM to be part of the PRC-Wide Entity. Further, because the Department did not receive a Q&V response from the following companies, the PRC-wide entity also includes: (1) Shandong Tralin; (2) MCC Paper; (3) Shandong Chenming; (4) Shandong Huatai; and (5) Shandong Taishan.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of uncoated paper from the PRC, as described in Appendix I of this notice, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**.

In accordance with 19 CFR 351.205(d), we will instruct CBP to require a cash deposit equal to the weighted-average amount by which the NV exceeds U.S. price, as indicated in the chart above, adjusted for export

[3] *See also* Memorandum from Erin Begnal, Director, Office III, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled ''Scope Comments Decision Memorandum for the Preliminary Determination of the Above-Captioned Investigations,'' dated concurrently with this notice.

[4] The petitioners in this proceeding are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America.

[5] *See* the petitioners' letters to the Department dated May 15, 2015 and May 18, 2015.

[6] *See Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Postponment of Preliminary Determinations of Antidumping Duty Investigations,* 80 FR 31017 (June 1, 2015).

[7] Specifically, the Department did not receive responses to its quantity and value questionnaire (Q&V) from the following companies: Shandong Tralin Paper Group (Shandong Tralin); MCC Paper Group (MCC Paper); Shandong Chenming Paper Holdings (Shandong Chenming); Shandong Huatai Paper Industry Shareholding Co., Ltd. (Shandong Huatai); and Shandong Taishan Paper Group (Shandong Taishan). *See* Memorandum to the File, ''Antidumping Duty Investigation of Uncoated Paper from the People's Republic of China: FedEx-UPS Delivery Confirmations (Updated),'' dated March 25, 2015.

subsidies found in the preliminary determination of the companion countervailing duty investigation.[8] Therefore, for cash deposit purposes, we are subtracting from the applicable cash deposit rate that portion of the countervailing duty rate attributable to the export subsidies found in the preliminary affirmative countervailing duty determination. Accordingly, the export subsidy offsets are as follows: 0.13 percent for Asia Symbol, and 0.13 percent for PRC-wide entity.[9] After this adjustment, the resulting cash deposit rates will be 97.35 percent for Asia Symbol,and 193.17 percent for the PRC-wide entity.

Further, pursuant to section 733(d) of the Act and 19 CFR 351.205(d), we will instruct CBP to require cash deposits[10] equal to the weighted-average amount by which NV exceeds U.S. price, adjusted where appropriate for export subsidies, as follows: (1) The cash-deposit rate for the exporter/producer combination listed above will be the dumping margin that the Department determined in this preliminary determination; (2) for all combinations of PRC exporters/producers of merchandise under consideration that have not received their own separate rate above, the cash-deposit rate will be equal to the dumping margin established for the PRC-wide entity; and (3) for all non-PRC exporters of merchandise under consideration which have not received their own separate rate above, the cash-deposit rate will be the cash deposit rate applicable to the PRC exporter/producer combination that supplied that non-PRC exporter. These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

We intend to disclose the calculations performed to interested parties in this proceeding within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i) of the Act, we intend to verify information relied upon in making our final determination.

Public Comment

Interested parties are invited to comment on this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding, and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[11] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce. All documents must normally be filed electronically using ACCESS. An electronically-filed request must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time, within 30 days after the date of publication of this notice. [12]

Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. 19 CFR 351.210(e)(2) requires that requests by respondents for postponement of a final antidumping determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

Asia Symbol requested that, in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination by 60 days (*i.e.,* to 135 days after publication of the preliminary determination), and agreed to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a period not to exceed six months.[13] In addition, the petitioners also requested that, in the event of a negative preliminary determination, the Department postpone its final determination to 135 days after the date of publication of the preliminary determination.[14]

In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because (1) our preliminary determination is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, we are postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, we will make our final determination no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.[15]

International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our affirmative preliminary determination of sales at LTFV. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

This determination is issued and published in accordance with sections

[8] *See Certain Uncoated Paper From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Determination,* 80 FR 36968 (June 29, 2015), and accompanying Preliminary Decision Memorandum.

[9] *See* Memorandum to the File from Stephanie Moore, Case Analyst, entitled, ''Placing Information on the Record: Export Subsidies Calculated in the Preliminary Determination of the Countervailing Duty Investigation of Certain Uncoated Paper from the People's Republic of China,''dated concurrently with this notice.

[10] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

[11] *See* 19 CFR 351.309.

[12] *See* 19 CFR 351.310(c).

[13] *See* letter from Asia Symbol titled, ''Certain Uncoated Paper From the People's Republic of China: Request to Postpone Final Determination,'' dated July 31, 2015.

[14] *See* letter from the petitioners entitled, ''Certain Uncoated Paper From the People's Republic of China: Request For Postponement of The Final Determination,'' dated July 31, 2015.

[15] *See also* 19 CFR 351.210(e).

733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: August 19, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level [1] of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigations is dispositive.

Appendix II—List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Selection of Respondents
IV. Period of Investigation
V. Postponement of Final Determination and Extension of Provisional Measures
VI. Scope Comments
VII. Scope of the Investigation
VIII. Affiliation Determination
IX. Discussion of Methodology
A. Non-Market Economy
B. Separate Rates
C. Surrogate Country and Surrogate Value Data
D. Surrogate Country
E. Economic Compatibility
F. Significant Producer of Comparable Merchandise
G. Data Availability
H. Date of Sale
I. Fair Value Comparisons
a. Determination of the Comparison Method
b. Results of the Differential Pricing Analysis
J. Export Price
K. Value-Added Tax
L. Normal Value
M. Factor Valuation Methodology
X. Currency Conversion
XI. Application Of Facts Available And Adverse Inferences
A. Use of Facts Available
B. Application of Facts Available with an Adverse Inference
C. Corroboration of the AFA Rate
XII. Adjustment Under Section 777a(F) Of The Act
XIII. Verification
XIV. U.S. International Trade Commission Notification
XV. Disclosure And Public Comment
XVI. Conclusion

[1] One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. ''Colored paper'' as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

[FR Doc. 2015–21173 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–560–828]

Certain Uncoated Paper From Indonesia: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (Department) preliminarily determines that certain uncoated paper from Indonesia is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is January 1, 2014, through December 31, 2014. The estimated weighted-average dumping margins of sales at LTFV are shown in the ''Preliminary Determination'' section of this notice. Interested parties are invited to comment on this preliminary determination.

DATES: *Effective date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Blaine Wiltse or Shannon Morrison, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6345 or (202) 482–6274, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department initiated this investigation on February 10, 2015.[1] For a complete description of the events that followed the initiation of this investigation, see the memorandum that is dated concurrently with this determination and hereby adopted by this notice.[2] The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov,* and to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The product covered by this investigation is uncoated paper from Indonesia. For a full description of the scope of this investigation, see the ''Scope of the Investigation,'' in Appendix I of this notice.

Scope Comments

Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* For discussion of those comments, see the Preliminary Decision Memorandum.[3]

[1] *See Certain Uncoated Paper From Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Initiation of Less-Than-Fair-Value Investigations,* 80 FR 8608 (February 18, 2015) (*Initiation Notice*).

[2] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled ''Decision Memorandum for the Preliminary Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Indonesia'' (Preliminary Decision Memorandum), dated concurrently with this notice.

[3] *See also* Memorandum from Erin Begnal, Director, Office III, to Ronald K. Lorentzen, Acting

Continued

Postponement of Deadline for Preliminary Determinations

On May 15, 2015, the petitioners [4] made a timely request for a 50-day postponement of the preliminary determination in this investigation pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e).[5] On June 1, 2015, we postponed the preliminary determination by 50 days, to August 19, 2015.[6]

Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. There is one mandatory respondent participating in this investigation, April Fine Paper Macao Limited/PT Anugerah Kertas Utama/PT Riau Andalan Kertas (collectively, APRIL). Export price for this company is calculated in accordance with section 772 of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.

Adverse Facts Available

Because mandatory respondents Great Champ Trading Limited (Great Champ), Indah Kiat Pulp & Paper TBK (IK), and Pabrik Kertas Tjiwi Kimia (TK) failed to respond to the Department's questionnaire, we preliminarily determine to apply adverse facts available (AFA) to these respondents, in accordance with sections 776(a) and (b) of the Act and 19 CFR 351.308. Moreover, the Department is collapsing IK and TK, along with an additional affiliated paper producer PT. Pindo Deli Pulp and Paper Mills because we find that these companies meet the criteria set forth in 19 CFR 351.401(f). Therefore, we are assigning these companies a single AFA rate—under the name APP/SMG—for purposes of the preliminary determination. For further discussion, see the Preliminary Decision Memorandum.

All-Others Rate

Consistent with sections 733(d)(1)(A)(ii) and 735(c)(5) of the Act, the Department also calculated an estimated all-others rate. Section 735(c)(5)(B) of the Act provides that where all rates are zero, *de minimis* or based on total facts available, the Department may use ''any reasonable method'' to establish the rate for non-selected respondents.

In this investigation, we calculated a company-specific rate for the only cooperative mandatory respondent, APRIL, that is zero. Therefore, and pursuant to section 735(c)(5)(B) of the Act, we preliminary determine that it is reasonable to calculate the all-others rate based on a simple average of the zero margin and the margins based on AFA.

Preliminary Determination

The Department preliminarily determines that the following weighted-average dumping margins exist:

Exporter/manufacturer	Weighted-average dumping margin (percent)
Great Champ Trading Limited	51.75
Indah Kiat Pulp & Paper TBK/Pabrik Kertas Tjiwi Kimia/PT	51.75
Pindo Deli Pulp and Paper Mills (APP/SMG)	
April Fine Paper Macao Limited/PT Anugerah Kertas Utama/PT Riau Andalan Kertas (APRIL)	0.00
All Others	34.50

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of certain uncoated paper from Indonesia, as described in Appendix I of this notice, for all companies other than APRIL which are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. For APRIL, because its estimated weighted-average preliminary dumping margin is zero, we are not directing CBP to suspend liquidation of APRIL's entries.

In accordance with 19 CFR 351.205(d), we will instruct CBP to require a cash deposit equal to the weighted-average amount by which the NV exceeds U.S. price, as indicated in the chart above, adjusted for export subsidies found in the preliminary determination of the companion countervailing duty investigation.[7] Specifically, consistent with our longstanding practice, where the product under investigation is also subject to a concurrent countervailing duty investigation, we instruct CBP to require a cash deposit equal to the amount by which the NV exceeds the U.S. price, as indicated below, less the amount of the countervailing duty determined to constitute an export subsidy.[8] Therefore, for cash deposit purposes, we are subtracting from the applicable cash deposit rate that portion of the countervailing duty rate attributable to the export subsidies found in the preliminary affirmative countervailing duty determination. Accordingly, the export subsidy offsets are as follows: 29.36 percent for Great Champ and APP/SMG; and 0.00 percent for all others.[9] After this adjustment, the resulting cash deposit rates will be 22.39 percent for Great Champ and APP/SMG.

Further, pursuant to section 733(d) of the Act and 19 CFR 351.205(d), we will instruct CBP to require cash deposits [10] equal to the above-noted rates, adjusted as appropriate for export subsidies, as follows: (1) The rate for the mandatory respondents listed above will be the respondent-specific rate we determined in this preliminary determination; (2) if the exporter is not a mandatory respondent identified above, but the producer is, the rate will be the specific rate established for the producer of the subject merchandise; and (3) the rate for all other producers or exporters will be the all others rate. These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

We will disclose the calculations performed to interested parties in this proceeding within five days of the date

Assistant Secretary for Enforcement and Compliance, entitled ''Scope Comments Decision Memorandum for the Preliminary Determinations,'' dated August 3, 2015.

[4] The petitioners in this proceeding are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America.

[5] *See* The petitioners' Letter to the Department, ''Certain Uncoated Paper From Indonesia: Request For Postponement Of The Preliminary Determination, dated May 15, 2015.

[6] *See Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Postponement of Preliminary Determinations of Antidumping Duty Investigations,* 80 FR 31017 (June 1, 2015).

[7] *See Certain Uncoated Paper from Indonesia: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Determination,* 80 FR 36971 (June 29, 2015), and accompanying Preliminary Decision Memorandum (*CVD Investigation Uncoated Paper from Indonesia*).

[8] *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value: Carbazole Violet Pigment 23 From India,* 69 FR 67306, 67307 (November 17, 2004); and *Notice of Final Determination of Sales at Less Than Fair Value and Negative Critical Circumstances Determination: Bottom Mount Combination Refrigerator-Freezers From the Republic of Korea,* 77 FR 17413 (March 26, 2012).

[9] *See CVD Investigation Uncoated Paper from Indonesia.*

[10] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

of publication of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i) of the Act, we intend to verify information relied upon in making our final determination.

Public Comment

Interested parties are invited to comment on this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding, and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[11] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce. All documents must be filed electronically using ACCESS. An electronically-filed request must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Standard Time, within 30 days after the date of publication of this notice.[12] Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. 19 CFR 351.210(e)(2) requires that requests by respondents for postponement of a final antidumping determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

APRIL requested that, in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination by 60 days (*i.e.,* to 135 days after publication of the preliminary determination), and agreed to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a period not to exceed six months.[13] In addition, the petitioners also requested that, in the event of a negative preliminary determination, the Department postpone its final determination in accordance with 19 CFR 351.210(b)(c)(i).[14]

In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because (1) our preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, we are postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, we will make our final determination no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.[15]

International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, we are notifying the ITC of our affirmative preliminary determination of sales at LTFV. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: August 19, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level [1] of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Postponement of Final Determination and Extension of Provisional Measures

[11] *See* 19 CFR 351.309.

[13] *Id.*

[14] *See* Letter from the petitioners, entitled, ''Certain Uncoated Paper from Indonesia—Petitioners' Comments on the Extension of the Final Determination,'' dated July 31, 2015.

[15] *See also* 19 CFR 351.210(e).

[1] One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. ''Colored paper'' as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

V. Scope Comments
VI. Affiliation Determinations
VII. Discussion of Methodology
a. Determination of the Comparison Method
b. Results of the Differential Pricing Analysis
VIII. Date of Sale
IX. Product Comparisons
X. Export Price
XI. Duty Drawback
XII. Normal Value
a. Home Market Viability
b. Level of Trade
c. Cost of Production (COP) Analysis
1. Calculation of COP
2. Test of Comparison Market Sales Prices
3. Results of the COP Test
d. Calculation of NV Based on Comparison Market Prices
XIII. Application of Facts Available and Use of Adverse Inference
a. Use of Facts Available
b. Application of Facts Available with an Adverse Inference
c. Selection and Corroboration of Adverse Facts Available (AFA) Rate
XIV. Critical Circumstances
XV. Currency Conversion

[FR Doc. 2015–21180 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–008]

Calcium Hypochlorite From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review; 2014–2015

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

DATES: Effective date August 26, 2015.

SUMMARY: The Department of Commerce (''the Department'') has received a timely request for a new shipper review (''NSR'') of the antidumping duty (''AD'') order on calcium hypochlorite from the People's Republic of China (''PRC''). The Department has determined that the request meets the statutory and regulatory requirements for initiation. The period of review (''POR'') for this NSR is July 25, 2014, through June 30, 2015.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202–482–6905.

SUPPLEMENTARY INFORMATION:

Background

The AD order on calcium hypochlorite was published in the **Federal Register** on January 30, 2015.[1] On July 20, 2015, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (''the Act''), and 19 CFR 351.214(b), the Department received a NSR request from Haixing Jingmei Chemical Products Sales Co., Ltd. (''Haixing Jingmei'').[2] Haixing Jingmei certified that it is the exporter of the subject merchandise upon which the request is based and that its affiliate, Haixing Eno Chemical Co., Ltd., is the producer of the subject merchandise.[3]

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(b)(2)(ii), Haixing Jingmei certified that it did not export subject merchandise to the United States during the period of investigation (''POI'').[4] Further, Haixing Eno Chemical Co., Ltd. certified that it is the producer of the subject merchandise upon which the request is based. In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Haixing Jingmei certified that, since the initiation of the investigation, it has never been affiliated with any PRC exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the investigation.[5] As required by 19 CFR 351.214(b)(2)(iii)(B), Haixing Jingmei also certified that its export activities were not controlled by the government of the PRC.[6]

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Haixing Jingmei submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise for export to the United States; (2) the volume of its first shipment and subsequent shipments; and (3) the date of its first sale to an unaffiliated customer in the United States.[7]

Finally, the Department conducted a U.S. Customs and Border Protection (''CBP'') database query and confirmed the price, quantity, date of sale, and date of entry of Haixing Jingmei's sales.[8]

Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act, 19 CFR 351.214(b), and 19 CFR 351.214(d)(1), and based on the evidence provided by Haixing Jingmei, we find that its request meets the threshold requirements for initiation of the NSR for shipments of calcium hypochlorite from the PRC produced by Haixing Eno Chemical Co., Ltd. and exported by Haixing Jingmei.[9] The POR is July 25, 2014, through June 30, 2015.[10] If the information supplied by Haixing Jingmei is found to be incorrect or insufficient during the course of this proceeding, the Department may rescind the review for Haixing Jingmei or apply facts available pursuant to section 776 of the Act, depending on the facts on record.

Absent a determination that the new shipper review is extraordinarily complicated, the Department intends to issue the preliminary results of this NSR within 180 days from the date of initiation and the final results within 90 days after the date on which the preliminary results are issued.[11]

It is the Department's usual practice, in cases involving non-market economies (''NMEs''), to require that a company seeking to establish eligibility for an antidumping duty rate separate from the NME entity-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue questionnaires to Haixing Jingmei that will include a section requesting information concerning its eligibility for a separate rate. The NSR will proceed if the responses provide sufficient indication that Haixing Jingmei is not subject to either *de jure* or *de facto* government control with respect to its exports of subject merchandise.

We will instruct CBP to allow, at the option of the importer, the posting, until the completion of this review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from the requesting companies in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Haixing Jingmei certified that its affiliate Haixing Eno Chemical Co., Ltd. produced the subject merchandise which Haixing Jingmei exported, the

[1] *See Calcium Hypochlorite From the People's Republic of China: Antidumping Duty Order,* 80 FR 5085 (January 30, 2015) (''*Order*'').

[2] *See* Letter from Haixing Jingmei, ''Entry of Appearance and Corrected Request for New Shipper Review: Calcium Hypochlorite from the People's Republic of China,'' dated July 20, 2015 (''NSR Request'').

[3] *Id.,* at 2–3 and Exhibit 1.

[4] *Id.*

[5] *Id.*

[6] *Id.*

[7] *Id.,* at 3 and Exhibit 2; *see also* Letter from Haixing Jingmei, ''Calcium Hypochlorite from the People's Republic of China: Response to Pre-Initiation Question,'' dated July 24, 2015.

[8] The Department will place the results of the completed CBP database query along with Haixing Jingmei's entry documents on the record after the publication of this notice.

[9] *See* ''Memorandum to the File, from Irene Gorelik, Senior Analyst, ''Calcium Hypochlorite from the People's Republic of China: New Shipper Initiation Checklist,'' dated concurrently with this notice and herein incorporated by reference.

[10] *See* 19 CFR 351.214(g)(1)(ii)(B).

[11] *See* section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i).

sales of which are the basis for the NSR request, we will instruct CBP to permit the use of a bond only for subject merchandise which Haixing Eno Chemical Co., Ltd produced and Haixing Jingmei exported.

Interested parties requiring access to proprietary information in this NSR should submit applications for disclosure under administrative protective order, in accordance with 19 CFR 351.305 and 19 CFR 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act, 19 CFR 351.214, and 19 CFR 351.221(c)(1)(i).

Dated: August 19, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2015–21185 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–019]

Boltless Steel Shelving Units Prepackaged for Sale From the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (''Department'') published the *Preliminary Determination* of the countervailing duty (''CVD'') investigation of boltless steel shelving units prepackaged for sale (''boltless steel shelves'') from the People's Republic of China (''PRC'') on January 30, 2015.[1] The Department determines that countervailable subsidies are being provided to producers and exporters of boltless steel shelves from the PRC. For information on the estimated subsidy rates, *see* the ''Final Determination'' section of this notice. The period of investigation is January 1, 2013 through December 31, 2013.

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Susan Pulongbarit (Topsun) or Paul Walker (ETDZ), AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone 202.482.4031, or 202.482.0413, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 30, 2015, the Department published the *Preliminary Determination.*[2] Between May 6 and June 6, 2015, we conducted verifications of the questionnaire responses of Nanjing ETDZ Huixing Trade Co., Ltd. (''ETDZ''), Nanjing Topsun Racking Manufacturing Co., Ltd. (''Topsun''), and a customer.[3] On May 21, 2015, the Department issued the Post-preliminary Determination.[4] Between June 24 and June 29, 2015, interested parties submitted case and rebuttal briefs. A full discussion of the issues raised by parties for this final determination may be found in the I&D Memo, which is hereby adopted by this notice.[5] The I&D Memo is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''ACCESS''). ACCESS is available to registered users at *http://access.trade.gov,* and is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the I&D Memo can be accessed directly at *http://enforcement.trade.gov/frn/index.html.* The signed I&D Memo and the electronic versions are identical in content.

Scope of the Investigation and Scope Comments

The scope of this investigation covers boltless steel shelving units prepackaged for sale, with or without decks (''boltless steel shelving''). The term ''prepackaged for sale'' means that, at a minimum, the steel vertical supports (*i.e.,* uprights and posts) and steel horizontal supports (*i.e.,* beams, braces) necessary to assemble a completed shelving unit (with or without decks) are packaged together for ultimate purchase by the end-user. The scope also includes add-on kits. Add-on kits include, but are not limited to, kits that allow the end-user to add an extension shelving unit onto an existing boltless steel shelving unit such that the extension and the original unit will share common frame elements (*e.g.,* two posts). The term ''boltless'' refers to steel shelving in which the vertical and horizontal supports forming the frame are assembled primarily without the use of nuts and bolts, or screws. The vertical and horizontal support members for boltless steel shelving are assembled by methods such as, but not limited to, fitting a rivet, punched or cut tab, or other similar connector on one support into a hole, slot or similar receptacle on another support. The supports lock together to form the frame for the shelving unit, and provide the structural integrity of the shelving unit separate from the inclusion of any decking. The incidental use of nuts and bolts, or screws to add accessories, wall anchors, tie-bars or shelf supports does not remove the product from scope. Boltless steel shelving units may also come packaged as partially assembled, such as when two upright supports are welded together with front-to-back supports, or are otherwise connected, to form an end unit for the frame. The boltless steel shelving covered by this investigation may be commonly described as rivet shelving, welded frame shelving, slot and tab shelving, and punched rivet (quasi-rivet) shelving as well as by other trade names. The term ''deck'' refers to the shelf that sits on or fits into the horizontal supports (beams or braces) to provide the horizontal storage surface of the shelving unit.

[1] *See Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Preliminary Determination and Alignment of Final Determination with Final Antidumping Duty Determination,* 80 FR 5089 (January 30, 2015) (''*Preliminary Determination*'').

[2] *See Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Preliminary Determination and Alignment of Final Determination with Final Antidumping Duty Determination,* 80 FR 5089 (January 30, 2015) (''*Preliminary Determination*'') and accompanying Preliminary Decision Memorandum (''PDM'').

[3] *See* Memorandum to Scot T. Fullerton, Program Manager, from Susan S. Pulongbarit, Senior International Trade Analyst, ''Countervailing Duty Investigation: Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Verification Report: Nanjing Topsun Racking Manufacturing Co., Ltd. (''Topsun'') and Nanjing Great Wall Co., Ltd. (''Great Wall''),'' dated June 16, 2015; Memorandum to Scot T. Fullerton, Program Manager, from Paul Walker, Case Analyst, ''Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Verification Report for Ningbo ETDZ Huixing Trade Co., Ltd.,'' dated June 16, 2015; and Memorandum to Paul Walker, Acting Program Manager, from Susan Pulongbarit, Case Analyst, ''Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Verification Report,'' dated June 17, 2015.

[4] *See* Memorandum to Paul Piquado, Assistant Secretary, Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations, ''Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Post-Preliminary Determination Decision Memorandum,'' dated May 29, 2015 (''Post-preliminary Determination'').

[5] *See* Memorandum to Ronald K. Lorentzen, Acting Assistant Secretary, Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations, ''Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Issues and Decision Memorandum for the Final Determination,'' dated concurrently with this notice (''I&D Memo'').

The scope includes all boltless steel shelving meeting the description above, regardless of (1) vertical support or post type (including but not limited to open post, closed post and tubing); (2) horizontal support or beam/brace profile (including but not limited to Z-beam, C-beam, L-beam, step beam and cargo rack); (3) number of supports; (4) surface coating (including but not limited to paint, epoxy, powder coating, zinc and other metallic coating); (5) number of levels; (6) weight capacity; (7) shape (including but not limited to rectangular, square, and corner units); (8) decking material (including but not limited to wire decking, particle board, laminated board or no deck at all); or (9) the boltless method by which vertical and horizontal supports connect (including but not limited to keyhole and rivet, slot and tab, welded frame, punched rivet and clip).

Specifically excluded from the scope are:

- Wall-mounted shelving, defined as shelving that is hung on the wall and does not stand on, or transfer load to, the floor;[6]
- wire shelving units, which consist of shelves made from wire that incorporates both a wire deck and wire horizontal supports (taking the place of the horizontal beams and braces) into a single piece with tubular collars that slide over the posts and onto plastic sleeves snapped on the posts to create the finished shelving unit;
- bulk-packed parts or components of boltless steel shelving units; and
- made-to-order shelving systems.

Subject boltless steel shelving enters the United States through Harmonized Tariff Schedule of the United States (''HTSUS'') statistical subheadings 9403.20.0018, 9403.20.0020, 9403.20.0025, and 9403.20.0026, but may also enter through HTSUS 9403.10.0040. While HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of this investigation is dispositive.

The Department received comments regarding the scope of this investigation from numerous interested parties, which we have summarized and addressed in the accompanying I&D Memo.[7]

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the I&D Memo. A list of the issues that parties raised, and to which we responded in the I&D Memo, is attached to this notice as an Appendix.

Use of Adverse Facts Available

For purposes of this final determination, we relied on facts available, and have drawn an adverse inference, in accordance with sections 776(a) and (b) of the Tariff Act of 1930, as amended (the ''Act''), in determining the countervailability of the GOC's provision of electricity for less than adequate remuneration (''LTAR''), the GOC's provision of hot-rolled coiled steel for LTAR, and for certain companies which did not respond to the Department's quantity and value questionnaire. The Department also relied on facts available in determining the countervailability of the following programs: Exhibition Subsidy, Foreign Trade Bureau Award, Export Credit Insurance and Export Subsidy for High-tech Merchandise, and the Innovative Growth Subsidy. The Department notes that because one or more respondents did not act to the best of their ability to respond to the Department's requests for information, we drew an adverse inference where appropriate in selecting from among the facts otherwise available.[8] For further information, *see* ''Use of Facts Otherwise Available and Adverse Inferences'' in the I&D Memo.

Changes Since the Preliminary Determination

Based on our review and analysis of the comments received from parties, and minor corrections presented at verification, we made certain changes to the subsidy rate calculations since the *Preliminary Determination.* For a discussion of these changes, *see* the I&D Memo.

Final Determination

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated an estimated individual countervailable subsidy rate for each producer/exporter of the subject merchandise individually investigated.[9] We determine the total estimated net countervailable subsidy rates to be:

Company	Subsidy rate (percent)
Ningbo ETDZ Huixing Trade Co., Ltd	12.40
Nanjing Topsun Racking Manufacturing Co., Ltd	15.05
All Others	13.73
Dalian Huameilong Metal Products Co., Ltd*	80.45
Dongguan Yuan Er Sheng Machinery Source Hardware Co., Ltd*	80.45
Dong Rong Metal Products Co., Ltd*	80.45
Global Storage Equipment Manufacturer Limited*	80.45
Intradin (Shanghai) Import & Export Co., Ltd*	80.45
Jinhua Development District Hongfa Tool, Ltd*	80.45
Kunshan Jisheng Metal & Plastic Co., Ltd*	80.45
Nanjing Huade Warehousing Equipment Manufacturing Co. Ltd*	80.45
Nanjing Whitney Metal Products Co., Ltd*	80.45
Nanjing Yodoly Logistics Equipments Manufacturing Co., Ltd*	80.45
Ningbo Decko Metal Products Trade Co., Ltd*	80.45
Ningbo Haifa Metal Works Co., Ltd*	80.45
Ningbo HaiFa Office Equipment Co., Ltd*	80.45
Ningbo TLT Metal Products Co., Ltd*	80.45

*Non-cooperative company to which an adverse facts available rate is being applied. *See* ''Use of Facts Otherwise Available and Adverse Inferences'' section in the I&D Memo.

Disclosure

We intend to disclose to parties the calculations performed in this proceeding within five days of the public announcement of this notice in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination* and pursuant to section 703(d) of the Act, we instructed U.S. Customs and Border Protection (''CBP'') to suspend liquidation of all entries of subject merchandise from the PRC that were entered, or withdrawn from warehouse, for consumption on or after January 30, 2015, the date of the publication of the *Preliminary Determination* in the **Federal Register**. In accordance with section 703(d) of the Act, we issued instructions to CBP to

[6] The addition of a wall bracket or other device to attach otherwise freestanding subject merchandise to a wall does not meet the terms of this exclusion.

[7] *See* I&D Memo at Comments XIII.

[8] *See* sections 776(a) and (b) of the Act.

[9] Section 705(c)(5)(A)(i) of the Act states that, for companies not individually investigated, we will determine an ''all others'' rate equal to the weighted-average countervailable subsidy rates established for exporters and producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates determined entirely under section 776 of the Act. Notwithstanding the language of section 705(c)(5)(A)(i) of the Act, we have not calculated the ''all others'' rate by weight averaging the rates of ETDZ and Topsun because doing so risks disclosure of proprietary information. Therefore, we calculated a simple average of ETDZ's and Topsun's rates.

discontinue the suspension of liquidation for CVD purposes for subject merchandise entered, or withdrawn from warehouse, on or after May 30, 2015, but to continue the suspension of liquidation of all entries from January 30, 2015, through May 29, 2015.

If the International Trade Commission (''ITC'') issues a final affirmative injury determination, we will issue a CVD order and reinstate the suspension of liquidation under section 706(a) of the Act, and we will require a cash deposit of estimated CVDs for such entries of merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (''APO''), without the written consent of the Assistant Secretary for Enforcement and Compliance.

Return or Destruction of Proprietary Information

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

Dated: August 14, 2015.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the I&D Memo

Comment I: Whether State Ownership Makes an Entity a Government Authority
Comment II: Whether Chinese Communist Party (''CCP'') Affiliations/Activities by Company Officials Make the Company a Government Authority
Comment III: Whether the GOC Responded to the Best of its Ability Regarding Ownership and CCP Affiliation for HRCS Suppliers and Provided Sufficient Evidence to Find that Some Producers Were not Government Authorities
Comment IV: Whether the Provision of HRCS Is Specific
Comment V: Use of a Tier-One Price for the Provision of HRCS
Comment VI: Cold-Rolled for LTAR
Comment VII: Whether to Adjust the HRCS Benchmark Values
Comment VIII: Whether the Provision of Electricity is Countervailable
Comment IX: Topsun's Denominator
Comment X: Export Seller's Credits and Export Buyer's Credits from China ExIm
Comment XI: Two Free Three Half Program
Comment XII: Other Programs
Comment XIII: Whether Whirlpool's Products are Within the Scope

[FR Doc. 2015–20785 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–471–807]

Certain Uncoated Paper From Portugal: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (the ''Department'') preliminarily determines that certain uncoated paper from Portugal is being, or is likely to be, sold in the United States at less than fair value (''LTFV''), as provided in section 733(b) of the Tariff Act of 1930, as amended (''the Act''). The period of investigation (''POI'') is January 1, 2014, through December 31, 2014. The estimated weighted-average dumping margins of sales at LTFV are shown in the ''Preliminary Determination'' section of this notice. Interested parties are invited to comment on this preliminary determination.

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Kabir Archuletta, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2593.

SUPPLEMENTARY INFORMATION:

Background

The Department published the notice of initiation of this investigation on February 18, 2015.[1] For a complete description of the events that followed the initiation of this investigation, see the memorandum that is dated concurrently with this determination and hereby adopted by this notice.[2] The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''ACCESS''). ACCESS is available to registered users at *https://access.trade.gov,* and to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The product covered by this investigation is uncoated paper from Portugal. For a full description of the scope of this investigation, *see* the ''Scope of the Investigation,'' in Appendix I.

Scope Comments

Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* For discussion of those comments, see the Preliminary Decision Memorandum.[3]

Postponement of Deadline for Preliminary Determination

On May 18, 2015, Petitioners[4] submitted a timely request for a 50-day

[1] *See Certain Uncoated Paper From Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Initiation of Less-Than-Fair-Value Investigations,* 80 FR 8608 (February 18, 2015) (''*Initiation Notice*'').

[2] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance ''Decision Memorandum for the Preliminary Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Portugal'' (''Preliminary Decision Memorandum''), dated concurrently with this notice.

[3] *See also* Memorandum from Erin Begnal, Director, Office III, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance ''Scope Comments Decision Memorandum for the Preliminary Determinations'' (August 3, 2015).

[4] Petitioners are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter

Continued

postponement of the preliminary determination in this investigation pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e).[5] On June 1, 2015, we postponed the preliminary determination by 50 days.[6] As a result of the postponement, the revised deadline for the preliminary determination of this investigation is now August 19, 2015.

Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. There is one mandatory respondent participating in this investigation, Portucel S.A. (''Portucel''). Export price for this company is calculated in accordance with section 772 of the Act. Normal value (''NV'') is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.

All-Others Rate

Consistent with sections 733(d)(1)(A)(ii) and 735(c)(5) of the Act, the Department also calculated an estimated all-others rate. Section 735(c)(5)(A) of the Act provides that the estimated all-others rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Portucel is the only respondent for which the Department calculated a company-specific rate. Therefore, for purposes of determining the ''all others'' rate and pursuant to section 735(d)(5)(A) of the Act, we are using the dumping margin calculated for Portucel, as referenced in the ''Preliminary Determination'' section below.

Preliminary Determination

The Department preliminarily determines that the following weighted-average dumping margins exist:

Exporter/manufacturer	Weighted-average dumping margin (percent)
Portucel S.A.	29.53
All Others	29.53

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (''CBP'') to suspend liquidation of all entries of uncoated paper from Portugal, as described in the Preliminary Decision Memorandum, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**.

In accordance with 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the preliminary weighted-average amount by which normal value exceeds U.S. price, as indicated in the chart above.[7] These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

We will disclose the calculations performed to interested parties in this proceeding within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i) of the Act, we intend to verify information relied upon in making our final determination.

Public Comment

Interested parties are invited to comment on this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding, and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[8] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce. All documents must be filed electronically using ACCESS. An electronically-filed request must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Standard Time, within 30 days after the date of publication of this notice.[9] Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by Petitioners. 19 CFR 351.210(e)(2) requires that requests by respondents for postponement of a final antidumping determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On July 30, 2015, pursuant to 19 CFR 351.210(b) and (e), Portucel requested that, contingent upon an affirmative preliminary determination of sales at LTFV for Portucel, the Department postpone the final determination and that provisional measures be extended to a period not to exceed six months.[10] In addition, Petitioners requested that the Department postpone its final determination in accordance with 19 CFR 351.210(b)(2)(i).[11]

Company; and Packaging Corporation of America (collectively ''Petitioners'').

[5] *See* Letter to the Secretary of Commerce from Petitioners ''Request For Postponement Of The Preliminary Determination'' (May 18, 2015).

[6] *See Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Postponement of Preliminary Determinations of Antidumping Duty Investigations,* 80 FR 31017 (June 1, 2015).

[7] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

[8] *See* 19 CFR 351.309.

[9] *See* 19 CFR 351.310(c).

[10] *See* Letter to the Secretary of Commerce from Portucel ''Request for Postponement of Final Determination'' (July 30, 2015).

[11] *See* Letter to the Secretary of Commerce from Petitioners ''Petitioners' Comments on the

In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because (1) our preliminary determination is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, we are postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, we will make our final determination no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.[12]

International Trade Commission (''ITC'') Notification

In accordance with section 733(f) of the Act, we are notifying the ITC of our affirmative preliminary determination of sales at LTFV. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: August 19, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

The merchandise covered by this investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level [13] of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Period of Investigation
4. Postponement of Final Determination and Extension of Provisional Measures
5. Scope Comments
6. Affiliation and Collapsing
7. Discussion of Methodology
   - A. Determination of the Comparison Method
   - B. Results of the Differential Pricing Analysis
8. Date of Sale
9. Product Comparisons
10. Constructed Export Price
11. Excluded U.S. Sales
12. Normal Value
    - A. Home Market Viability
    - B. Affiliated Party Transactions and Arm's-Length Test
    - C. Level of Trade
    - D. Cost of Production Analysis
1. Calculation of COP
2. Test of Comparison Market Sales Prices
3. Results of the COP Test
   - E. Calculation of NV Based on Comparison-Market Prices
13. Facts Available
    - A. Use of Facts Available
    - B. Application of Facts Available with an Adverse Inference
14. Currency Conversion

[FR Doc. 2015–21183 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

Extension of the Final Determination'' (July 31, 2015).

[12] *See also* 19 CFR 351.210(e).

[13] One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. ''Colored paper'' as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–018]

Boltless Steel Shelving Units Prepackaged for Sale From the People's Republic of China: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (''Department'') determines that boltless steel shelving units prepackaged for sale from the People's Republic of China (''PRC'') are being, or are likely to be, sold in the United States at less than fair value (''LTFV''), as provided in section 735 of the Tariff Act of 1930, as amended (''the Act''). The final weighted-average dumping margins for the investigation on boltless steel shelving units from the PRC are listed in the ''Final Determination Margins'' section, *infra.*

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Kabir Archuletta or Irene Gorelik, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2593 or (202) 482–6905, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2015, the Department published its *Preliminary Determination.*[1] On April 17, 2015, we published an *Amended Preliminary Determination* and postponement of the final determination.[2] We invited interested parties to comment on our *Preliminary Determination* of sales at LTFV and *Amended Preliminary Determination.* For a list of the parties that filed case and rebuttal briefs, *see* the Issues and Decision Memorandum.[3]

[1] *See Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value,* 80 FR 17409 (April 1, 2015) (*Preliminary Determination*).

[2] *See Boltless Steel Shelving Units Prepackaged for Sale From the People's Republic of China: Amended Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination,* 80 FR 21207 (April 17, 2015) (*Amended Preliminary Determination*).

[3] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, ''Issues and Decision

Continued

Period of Investigation

The period of investigation (''POI'') is January 1, 2014, through June 30, 2014. This period corresponds to the two most recent fiscal quarters prior to the month of the filing of the petition, which was August 2014.[4]

Scope of the Investigation

The scope of this investigation covers boltless steel shelving units prepackaged for sale, with or without decks (''boltless steel shelving''). The term ''prepackaged for sale'' means that, at a minimum, the steel vertical supports (*i.e.,* uprights and posts) and steel horizontal supports (*i.e.,* beams, braces) necessary to assemble a completed shelving unit (with or without decks) are packaged together for ultimate purchase by the end-user.

Subject boltless steel shelving enters the United States through Harmonized Tariff Schedule of the United States (''HTSUS'') statistical subheadings 9403.20.0018, 9403.20.0020, 9403.20.0025, and 9403.20.0026, but may also enter through HTSUS 9403.10.0040. While HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of this investigation is dispositive. Several interested parties commented on the scope of this investigation, which we have summarized in the accompanying Issues and Decision Memorandum. For a complete description of the scope of the investigation, see Appendix I to this notice.

Verification

As provided in section 782(i) of the Act, between May 4 and May 15, 2014, the Department conducted verification of the information submitted by Nanjing Topsun Racking Manufacturing Co., Ltd. (''Topsun'') and Zhongda United Holding Group Co., Ltd. (''Zhongda United'')[5] for use in the final determination. We issued our verification reports on June 4, 2014, and June 5, 2015.[6] The Department used standard verification procedures, including examination of relevant accounting and production records and original source documents provided by respondents.[7]

Analysis of Comments Received

We addressed all issues raised by parties in case and rebuttal briefs in the Issues and Decision Memorandum.[8] Appendix II to this notice includes a list of the issues which the parties raised and to which the Department responded in the Issues and Decision Memorandum. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''ACCESS''). ACCESS is available to registered users at *http://access.trade.gov.* The Issues and Decision Memorandum is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum is available at *http://enforcement.trade.gov/frn/index.html.* The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Amended Preliminary Determination

Based on the Department's analysis of the comments received and our findings at verification, we made certain changes to Zhongda United's and Topsun's margin calculations. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Furthermore, we find that Topsun failed to cooperate by not acting to the best of its ability in this proceeding and, pursuant to section 776(b) of the Act and 19 CFR 351.308(a), we have based Topsun's dumping margin on total adverse facts available (''AFA''). For further discussion, *see* the Issues and Decision Memorandum.

Combination Rates

In the *Initiation Notice,*[9] the Department stated that it would calculate combination rates for the respondents that are eligible for a separate rate in this investigation. *Policy Bulletin 05.1* describes this practice.[10]

Separate Rate

Under section 735(c)(5)(A) of the Act, the all-others rate is normally an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely on the basis of facts available. Accordingly, when only one weighted-average dumping margin for an individually investigated respondent is above *de minimis* and not based entirely on facts available, the separate rate will be equal to that single, above *de minimis* rate.

In this final determination, the Department has calculated a rate for Zhongda that is not zero, *de minimis,* or based entirely on facts available. With respect to the other mandatory respondent, we have determined to apply a rate that is based entirely on facts available, thus it is excluded from separate rate consideration. Therefore, the Department has assigned to the companies that have not been individually examined but have demonstrated their eligibility for a

Memorandum for the Final Determination of the Antidumping Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China,'' dated concurrently with this notice (''Issues and Decision Memorandum'').

[4] *See* 19 CFR 351.204(b)(1).

[5] Zhongda United, Zhongda IE and Jiaxing Zhongda Metalwork Co., Ltd. (collectively, ''Zhongda'') submitted questionnaire responses on behalf of both companies based on the contention that the entities are affiliated. *See* Memorandum to the File from through Catherine Bertrand, Program Manager, Office V, from Kabir Archuletta, Senior International Trade Analyst, Office V ''Antidumping Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Preliminary Determination of Affiliation/Single Entity Treatment for Zhongda United Holding Group Co., Ltd., Jiaxing Zhongda Import & Export Co., Ltd., and Jiaxing Zhongda Metalwork Co., Ltd.'' (March 24, 2015) (''Zhongda Affiliation Memo'').

[6] *See* the Department's two memoranda regarding: ''Verification of the Sales and Factors Response of Topsun Racking Manufacturing Co., Ltd. (''Topsun'') in the Antidumping Duty Less Than Fair Value Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China,'' dated June 4, 2015; and ''Verification of the Sales and Factors Responses of Zhongda United Holding Group Co., Ltd., in the Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China,'' dated June 5, 2015. See also the Department Memorandum, ''Revised Verification of the Sales and Factors Response of Topsun Racking Manufacturing Co., Ltd. (''Topsun'') in the Antidumping Duty Less Than Fair Value Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China.'' (August 3, 2015) (''Topsun Revised Verification Report''); *see also,* Department's Letter to Topsun, ''Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Public Treatment of Information Previously Bracketed as Proprietary.'' (July 27, 2015); Department's Letter to Topsun, ''Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Public Treatment of Information Previously Bracketed as Proprietary.'' (July 30, 2015).

[6] *See* Letter from Topsun, ''Case Brief of Petitioner's Bracketing Concerns.'' (June 17, 2015).

[7] *Id.*

[8] *See* Issues and Decision Memorandum.

[9] *See Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Initiation of Antidumping Duty Investigation,* 79 FR 56562, 56566 (September 22, 2014) (''*Initiation Notice*'').

[10] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries,'' (April 5, 2005) (''Policy Bulletin 05.1''), available on the Department's Web site at *http://enforcement.trade.gov/policy/bull05-1.pdf.*

separate rate a margin of 17.55 percent, which is the rate calculated for Zhongda.

PRC-Wide Rate

For the final determination, we have determined to use, as the AFA rate applied to the PRC-wide entity, 112.68 percent, the highest CONNUM-specific dumping margin calculated in the *Preliminary Determination.* Consistent with our practice, the Department selected Topsun's highest CONNUM-specific margin, as AFA, because this rate is higher than the other rates in this investigation and therefore, sufficiently adverse to serve the purposes of facts available.[11] Furthermore, there is no need to corroborate the selected margin because it is based on information submitted by Topsun in the course of this investigation, *i.e.,* it is not secondary information.[12]

Final Determination

The Department determines that the estimated final weighted-average dumping margins are as follows:

Exporter	Producer	Weighted-average margin (percent)
Zhongda United Holding Group Co., Ltd	Jiaxing Zhongda Metalwork Co., Ltd	17.55
Jiaxing Zhongda Import & Export Co., Ltd	Jiaxing Zhongda Metalwork Co., Ltd	17.55
Ningbo ETDZ Huixing Trade Co., Ltd	Haifa (Ningbo) Office Equipment Co., Ltd	17.55
Ningbo ETDZ Huixing Trade Co., Ltd	Ningbo Decko Metal Products Trade Co., Ltd	17.55
Ningbo ETDZ Huixing Trade Co., Ltd	Lianfa Metal Product Co., Ltd	17.55
Meridian International Co., Ltd	Zhejiang Limai Metal Products Co., Ltd	17.55
Zhejiang Limai Metal Products Co., Ltd	Zhejiang Limai Metal Products Co., Ltd	17.55
HoiFat (NingBo) Office Facilities Co., Ltd	HoiFat (NingBo) Office Facilities Co., Ltd	17.55
PRC-Wide Entity (including Nanjing Topsun Racking Manufacturing Co., Ltd.).		112.68

Disclosure

We intend to disclose to parties the calculations performed in this proceeding within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (''CBP'') to continue to suspend liquidation of all appropriate entries of boltless steel shelving units prepackaged for sale from the PRC as described in the ''Scope of the Investigation'' section, which were entered, or withdrawn from warehouse, for consumption on or after April 1, 2015, the date of publication in the **Federal Register** of the affirmative *Preliminary Determination.* Further, pursuant to 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit[13] equal to the weighted-average amount by which the normal value exceeds U.S. price, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through, as follows: (1) For the exporter/producer combination listed in the table above, the cash deposit rate will be equal to the dumping margin which the Department determined in this final determination; (2) for all combinations of PRC exporters/producers of merchandise under consideration which have not received their own separate rate above, the cash deposit rate will be equal to the dumping margin established for the PRC-wide entity; and (3) for all non-PRC exporters of merchandise under consideration which have not received their own separate rate above, the cash deposit rate will be equal to the cash deposit rate applicable to the PRC exporter/producer combination that supplied that non-PRC exporter.

As we stated in the *Preliminary Determination,* consistent with our practice, where the product under investigation is also subject to a concurrent countervailing duty investigation, we instruct CBP to require a cash deposit equal to the amount by which the normal value exceeds the export price or constructed export price, less the amount of the countervailing duty determined to constitute an export subsidy.[14] In this LTFV investigation, export subsidies constitute 16.06 percent[15] of the final calculated countervailing duty rate in the concurrent countervailing duty investigation, and, thus, we will offset the calculated rates for Zhongda, the companies receiving a separate rate, and the PRC-wide rate of 112.68 percent by the countervailing duty rate attributable to export subsidies (*i.e.,* 16.06 percent) to calculate the cash deposit rate for this LTFV investigation. Furthermore, as previously stated, the Department did not adjust the preliminary determination AD margins for estimated domestic subsidy pass-through because respondents provided no information to support an adjustment pursuant to section 777A(f) of the Act.[16]

International Trade Commission Notification

In accordance with section 735(d) of the Act, we notified the International Trade Commission (''ITC'') of the final affirmative determination of sales at LTFV. As the Department's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will determine, within 45 days, whether the domestic industry in

[11] *See* Issues and Decision Memorandum for a detailed discussion.

[12] *See* 19 CFR 351.308(c) and (d) and section 776(c) of the Act.

[13] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

[14] *See Preliminary Determination,* 80 FR at 17411.

[15] The following subsidy programs in the final determination of the concurrent countervailing duty investigation are export subsidies: Export Seller's Credits and Export Buyer's Credits from the Export-Import Bank of China (14.79 percent), GOC and Sub-Central Government Subsidies for the Development of Famous Brands and World Top Brands (0.58 percent), International Market Exploration (SME) Fund (0.58 percent), Export Assistance/Outward Expansion Grants in Guangdong Province (0.08 percent), Export Credit Insurance (0.01 percent), Export Subsidy for High-Tech Merchandise (0.02 percent). *See Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale From the People's Republic of China: Final Affirmative Countervailing Duty Determination* (''CVD Final'') and accompanying Issues and Decision Memorandum. The final determination in this companion CVD proceeding is being concurrently released on the same day as this final determination.

[16] *See Preliminary Determination,* 80 FR at 17411.

the United States is materially injured, or threatened with material injury, by reason of imports of boltless steel shelving units prepackaged for sale from the PRC, or sales (or the likelihood of sales) for importation, of boltless steel shelving units prepackaged for sale from the PRC. If the ITC determines that such injury does not exist, this proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

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

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: August 14, 2015.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The scope of this investigation covers boltless steel shelving units prepackaged for sale, with or without decks (''boltless steel shelving''). The term ''prepackaged for sale'' means that, at a minimum, the steel vertical supports (*i.e.,* uprights and posts) and steel horizontal supports (*i.e.,* beams, braces) necessary to assemble a completed shelving unit (with or without decks) are packaged together for ultimate purchase by the end-user. The scope also includes add-on kits. Add-on kits include, but are not limited to, kits that allow the end-user to add an extension shelving unit onto an existing boltless steel shelving unit such that the extension and the original unit will share common frame elements (*e.g.,* two posts). The term ''boltless'' refers to steel shelving in which the vertical and horizontal supports forming the frame are assembled primarily without the use of nuts and bolts or screws. The vertical and horizontal support members for boltless steel shelving are assembled by methods such as, but not limited to, fitting a rivet, punched or cut tab or other similar connector on one support into a hole, slot or similar receptacle on another support. The supports lock together to form the frame for the shelving unit, and provide the structural integrity of the shelving unit separate from the inclusion of any decking. The incidental use of nuts and bolts or screws to add accessories, wall anchors, tie-bars or shelf supports does not remove the product from scope. Boltless steel shelving units may also come packaged as partially assembled, such as when two upright supports are welded together with front-to-back supports, or are otherwise connected, to form an end unit for the frame. The boltless steel shelving covered by this investigation may be commonly described as rivet shelving, welded frame shelving, slot and tab shelving, and punched rivet (quasi-rivet) shelving as well as by other trade names. The term ''deck'' refers to the shelf that sits on or fits into the horizontal supports (beams or braces) to provide the horizontal storage surface of the shelving unit.

The scope includes all boltless steel shelving meeting the description above, regardless of (1) vertical support or post type (including but not limited to open post, closed post and tubing); (2) horizontal support or beam/brace profile (including but not limited to Z-beam, C-beam, L-beam, step beam and cargo rack); (3) number of supports; (4) surface coating (including but not limited to paint, epoxy, powder coating, zinc and other metallic coating); (5) number of levels; (6) weight capacity; (7) shape (including but not limited to rectangular, square, and corner units); (8) decking material (including but not limited to wire decking, particle board, laminated board or no deck at all); or (9) the boltless method by which vertical and horizontal supports connect (including but not limited to keyhole and rivet, slot and tab, welded frame, punched rivet and clip).

Specifically excluded from the scope are:

- Wall-mounted shelving, defined as shelving that is hung on the wall and does not stand on, or transfer load to, the floor;[17]
- wire shelving units, which consist of shelves made from wire that incorporates both a wire deck and wire horizontal supports (taking the place of the horizontal beams and braces) into a single piece with tubular collars that slide over the posts and onto plastic sleeves snapped on the posts to create the finished shelving unit;
- bulk-packed parts or components of boltless steel shelving units; and
- made-to-order shelving systems.

Subject boltless steel shelving enters the United States through Harmonized Tariff Schedule of the United States (''HTSUS'') statistical subheadings 9403.20.0018, 9403.20.0020, 9403.20.0025, and 9403.20.0026, but may also enter through HTSUS 9403.10.0040. While HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of this investigation is dispositive.

[17] The addition of a wall bracket or other device to attach otherwise freestanding subject merchandise to a wall does not meet the terms of this exclusion.

Appendix II—Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Investigation
IV. Changes Since the Preliminary Determination
V. Use of Adverse Facts Available
VI. Discussion of the Issues

General Issues

Comment 1: Surrogate Country
Comment 2: Whether Whirlpool's Products Are Within the Scope
A. Whirlpool's Incomplete Units
B. Whirlpool's Pre-Wrapped Bundles
Comment 3: Whether Costco's Products Are Within the Scope

Surrogate Value Issues

Comment 4: Freight Weight Basis
Comment 5: Steel Strip Surrogate Value
Comment 6: Wire Deck Surrogate Value
Comment 7: Carton Surrogate Value
Comment 8: Surrogate Financial Ratios
A. Other Income/Expense
B. Commission/Advertisement

Company-Specific Issues

Topsun

Comment 9: Standards for Department Determinations
A. Consistent Disposition of New Factual Information Submissions
B. Rejection of New Information
Comment 10: Whether Topsun's Due Process Was Violated
Comment 11: Whether To Assign an Adverse Inference to Topsun's Cost of Goods Sold
Comment 12: Differential Pricing
Comment 13: Treatment of Topsun's Wire Decks

Zhongda

Comment 14: Byproduct Offset
Comment 15: Value-Added Tax (''VAT'') Adjustment
Comment 16: Whether AD/CVD Remedies Are Duplicative

JS Products

Comment 17: Separate Rate

[FR Doc. 2015–20794 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–405–803]

Purified Carboxymethylcellulose From Finland: Final Results of Changed Circumstances Review and Revocation of the Antidumping Duty Order

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

SUMMARY: On July 8, 2015, the Department of Commerce (the Department) published its initiation and

preliminary results [1] of a changed circumstances review (CCR), preliminarily determining to revoke the antidumping duty (AD) *Order* [2] on purified carboxymethylcellulose (CMC) from Finland. We invited interested parties to comment on the *Preliminary Results.* We received no comments. Thus, we make no changes to our preliminary determination in these final results of changed circumstances review and hereby revoke the *Order in toto.*

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Victoria Cho, or Robert James, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–5075 or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 15, 2015, in accordance with sections 751(b) and 751(d)(1) of the Tariff Act of 1930, as amended (the Act), 19 CFR 351.216(b), 19 CFR 351.222(g)(1), and 19 CFR 351.221(c)(3)(ii), Ashland Specialty Ingredients, G.P. (Ashland), the petitioner and sole domestic producer of CMC, requested revocation of the *Order* with respect to Finland as part of an expedited CCR. On June 8, 2015, CP Kelco Oy and its U.S. affiliate, CP Kelco U.S. Inc., (collectively, CP Kelco), the sole manufacturer of CMC in Finland and its affiliated U.S. importer, requested that the Department grant Ashland's CCR request and revoke the AD order on CMC from Finland, due to the lack of interest in continuation of the *Order.* On July 8, 2015, the Department preliminarily determined to revoke the *Order* and invited interested parties to comment on the *Preliminary Results*

We received no further comments from interested parties.

Scope of the Order

The merchandise covered by these orders is all purified CMC, sometimes also referred to as purified sodium CMC, polyanionic cellulose, or cellulose gum, which is a white to off-white, non-toxic, odorless, biodegradable powder, comprising sodium CMC that has been refined and purified to a minimum assay of 90 percent. Purified CMC does not include unpurified or crude CMC, CMC Fluidized Polymer Suspensions, and CMC that is cross-linked through heat treatment. Purified CMC is CMC that has undergone one or more purification operations which, at a minimum, reduce the remaining salt and other by-product portion of the product to less than ten percent.

The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States at subheading 3912.31.00. This tariff classification is provided for convenience and customs purposes; however, the written description of the scope of the order is dispositive.

Final Results of Changed Circumstances Review

Section 782(h)(2) of the Act and 19 CFR 351.222(g)(1)(i) & (vi), provide that the Department may revoke an order (in whole or in part) on an expedited basis if it determines that producers accounting for substantially all of the production of the domestic like product have no further interest in the order, in whole or in part. In accordance with 19 CFR 351.222(g)(1), we find that the petitioner's affirmative statement of no interest constitutes good cause to conduct this review. On June 8, 2015, CP Kelco also filed a letter in support of Ashland's CCR request.

Ashland stated that, as the sole U.S. producer of CMC, it accounts for substantially all of the production of the domestic like product. Ashland also stated that it has no interest in the continuation of the *Order.*[3] Therefore, at the request of Ashland and in accordance with sections 751(b)(1) and 751(d)(1) of the Act, 19 CFR 351.216, 19 CFR 351.222(g)(1)(i) & (vi), we are revoking the *Order* on CMC from Finland. As stated in the *Preliminary Results,* the revocation will be effective July 1, 2014, which is the first day of the most recent period not subject to administrative review.

Termination of Suspension of Liquidation

Because we determine that there are changed circumstances that warrant the revocation of the *Order,* we will instruct U.S. Customs and Border Protection to terminate the suspension of liquidation of the merchandise subject to this order entered, or withdrawn from warehouse, on or after July 1, 2014 and to release any cash deposit or bond on all unliquidated entries of the merchandise covered by the revocation that are not covered by the final results of an administrative review or automatic liquidation. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and AD deposit requirements.

Return or Destruction of Proprietary Information

This notice serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing these final results and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216, 351.221(c)(3), and 351.222(g)(vii).

Dated: August 18, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015–21046 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–602–807]

Certain Uncoated Paper From Australia: Preliminary Determination of Sales at Less Than Fair Value, Negative Preliminary Determination of Critical Circumstances, and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (Department) preliminarily determines that certain uncoated paper from Australia is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is January 1, 2014, through December 31, 2014. The estimated weighted-average dumping margins of sales at LTFV are shown in the ''Preliminary Determination'' section of this notice. Interested parties

[1] *See Purified Carboxymethylcellulose From Finland: Initiation and Preliminary Results of Changed Circumstances Review and Consideration of Revocation of the Antidumping Duty Order,* 80 FR 39058 (July 8, 2015) (*Preliminary Results*).

[2] *See Notice of Antidumping Duty Orders: Purified Carboxymethylcellulose From Finland, Mexico, the Netherlands and Sweden,* 70 FR 39734 (July 11, 2005) (the *Order*).

[3] *See* Ashland's May 15, 2015 submission to the Department.

are invited to comment on this preliminary determination.

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Eve Wang or George McMahon, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6231 or (202) 482–1167, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published the notice of initiation of this investigation on February 18, 2015.[1] For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum that is dated concurrently with this determination and hereby adopted by this notice.[2] The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov,* and to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The product covered by this investigation is uncoated paper from Australia. For a full description of the scope of this investigation, see the ''Scope of the Investigation,'' in Appendix I of this notice.

Scope Comments

Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* For discussion of those comments, see the Preliminary Decision Memorandum.[3]

Postponement of Deadline for Preliminary Determination

On May 15, 2015, the Petitioners[4] made a timely request for a 50-day postponement of the preliminary determination in this investigation pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e).[5] On June 1, 2015, we postponed the preliminary determination by 50 days, to August 19, 2015.[6]

Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. There is one respondent in this investigation, Paper Australia Pty. Ltd. (Australian Paper). Constructed export price and export price for this company are calculated in accordance with section 772 of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.

All-Others Rate

Consistent with sections 733(d)(1)(A)(ii) and 735(c)(5) of the Act, the Department also calculated an estimated all-others rate. Section 735(c)(5)(A) of the Act provides that the estimated all-others rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Australian Paper is the only respondent for which the Department has calculated a company-specific rate. Therefore, for purposes of determining the ''all others'' rate and pursuant to section 735(c)(5)(A) of the Act, we are using the dumping margin calculated for Australian Paper, as referenced in the ''Preliminary Determination'' section below.

Negative Preliminary Determinations of Critical Circumstances

On July 15, 2015, the Petitioners filed timely a critical circumstances allegation, pursuant to section 733(e)(1) of the Act and 19 CFR 351.206(c), alleging that critical circumstances exist with respect to imports of the merchandise under consideration from Australia.[7] In accordance with 19 CFR 351.206(c)(2)(i), when a critical circumstances allegation is submitted more than 20 days before the scheduled date of the preliminary determination, the Department must issue a preliminary finding whether there is a reasonable basis to believe or suspect that critical circumstances exist no later than the date of the preliminary determination. We conducted analyses of critical circumstances for Australian Paper in accordance with section 733(e) of the Act and 19 CFR 351.206, and preliminarily determined that: (1) Importers of uncoated paper from Australian Paper knew or should have known that the exporter was selling the merchandise under consideration at LTFV and that there was likely to be material injury in accordance with section 733(e)(1)(A)(ii) of the Act; and (2) imports of the subject merchandise from these companies have not been massive over a relatively short period in accordance with section 733(e)(1)(B) of the Act. Further, for the companies subject to the ''all others'' rate, it is the Department's normal practice to conduct its critical circumstances analysis for these companies based on the experience of investigated companies.[8] Accordingly, we find that the critical circumstances determination for Australian Paper should also be applied to all others, given that Australian Paper is the only known, identified producer in the petition and the initiation.[9] For a full description of

[1] *See Certain Uncoated Paper From Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Initiation of Less-Than-Fair-Value Investigations,* 80 FR 8608 (February 18, 2015) (*Initiation Notice*).

[2] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled ''Decision Memorandum for the Preliminary Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Australia'' (Preliminary Decision Memorandum), dated concurrently with this notice.

[3] *See also* Memorandum from Erin Begnal, Director, Office III, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, entitled ''Scope Comments Decision Memorandum for the Preliminary Determinations,'' dated August 3, 2015.

[4] The Petitioners in this proceeding are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America (collectively, the Petitioners).

[5] *See* the Petitioners' letter to the Department dated May 15, 2015.

[6] *See Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Postponement of Preliminary Determinations of Antidumping Duty Investigations,* 80 FR 31017 (June 1, 2015).

[7] *See* the letter from the petitioners entitled, ''Certain Uncoated Paper from Australia—Allegation of Critical Circumstances,'' dated July 15, 2015.

[8] *See, e.g., Sodium Metal from France: Notice of Final Determination of Sales at Less Than Fair Value and Negative Critical Circumstances,* 73 FR 62252, 62254 (October 20, 2008); *Notice of Final Determination of Sales at Less Than Fair Value and Negative Critical Circumstances Determination: Bottom Mount Combination Refrigerator-Freezers From the Republic of Korea,* 77 FR 17413, 17415–416 (March 26, 2012).

[9] *See Initiation Notice,* 80 FR at 8614; *see also* Volume II of the Petitions, at II–1—II–2 at footnote 1, and Exhibit II–3;Volume V of the Petitions, at V–1 through V–2 and Exhibit V–1; Volume VI of the Petitions, at Exhibits VI–1 and VI–2.

the methodology and results of our analysis, see the Preliminary Decision Memorandum.

Preliminary Determination

The Department preliminarily determines that the following weighted-average dumping margins exist:

Exporter/manufacturer	Weighted-average dumping margin (percent)
Paper Australia Pty. Ltd.	40.65
All Others	40.65

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of certain uncoated paper from Australia, as described in Appendix I of this notice, for Australian Paper and the companies covered by the all others rate which are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. However, because we have preliminarily found that critical circumstances do not exist with regard to Australia, we will not instruct CBP to suspend liquidation of covered entries from those companies entered, or withdrawn from warehouse for consumption up to 90 days prior to the date of publication of this notice in the **Federal Register**.[10]

Pursuant to section 733(d) of the Act and 19 CFR 351.205(d), we will instruct CBP to require cash deposits [11] equal to the dumping margins, as indicated in the chart above, as follows: (1) The rate for the mandatory respondents listed above will be the respondent-specific rate we determined in this preliminary determination; (2) if the exporter is not a mandatory respondent identified above, but the producer is, the rate will be the specific rate established for the producer of the subject merchandise; and (3) the rate for all other producers or exporters will be the all others rate. These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

We will disclose the calculations performed to interested parties in this proceeding within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i) of the Act, we intend to verify information relied upon in making our final determination.

Public Comment

Interested parties are invited to comment on this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding, and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[12] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce. All documents must be filed electronically using ACCESS. An electronically-filed request must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Standard Time, within 30 days after the date of publication of this notice.[13] Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. 19 CFR 351.210(e)(2) requires that requests by respondents for postponement of a final antidumping determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

Australian Paper requested that, in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination by 60 days (*i.e.,* to 135 days after publication of the preliminary determination) pursuant to section 735(a)(2)(A) and 19 CFR 351.210(b)(2)(ii), and agreed to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a period not to exceed six months.[14]

In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii) and (e)(2), because (1) our preliminary determination is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, we are postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, we will make our final determination no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.[15]

International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, we are notifying the ITC of our affirmative preliminary determination of sales at LTFV. Because the preliminary determination in this proceeding is affirmative, section 735(b)(2) of the Act requires that the ITC make its final determination whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of uncoated paper from Australia before the later of 120 days after the date of this preliminary determination or 45 days after our final determination. Because we are postponing the deadline for our final determination to 135 days from the date of publication of this preliminary

[10] *See* section 733(e)(2) of the Act.

[11] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

[12] *See* 19 CFR 351.309.

[13] *See* 19 CFR 351.310(c).

[14] *See* letter from Australian Paper entitled, ''Certain Uncoated Paper from Australia: Respondents' Comments on the Extension of Final Determination,'' dated August 11, 2015.

[15] *See also* 19 CFR 351.210(e).

determination, as discussed above, the ITC will make its final determination no later than 45 days after our final determination.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: August 19, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by the investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level [1] of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

[1] One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. ''Colored paper'' as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

Appendix II—List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Postponement of Final Determination and Extension of Provisional Measures
V. Scope Comments
VI. Discussion of the Methodology
  a. Determination of the Comparison Method
  b. Results of the Differential Pricing Analysis
VII. Date of Sale
VIII. Product Comparisons
IX. Constructed Export Price
X. Normal Value
  a. Home Market Viability
  b. Level of Trade
  c. Cost of Production (COP) Analysis
  1. Calculation of COP
  2. Test of Comparison Market Sales Prices
  3. Results of the COP Test
  d. Calculation of NV Based on Comparison Market Prices
XI. Currency Conversion
XII. Critical Circumstances

[FR Doc. 2015–21170 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XE142

NOAA Fisheries Climate Science Strategy

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

ACTION: Notice.

SUMMARY: NMFS is releasing the final NOAA Fisheries Climate Science Strategy (Strategy). The full Strategy, a Strategy Highlights document and additional information may be found at: *http://www.st.nmfs.noaa.gov/ecosystems/climate/*.

ADDRESSES: To obtain copies of the Strategy please go to: *http://www.st.nmfs.noaa.gov/ecosystems/climate/* or contact Roger Griffis, Climate Change Coordinator, NMFS Office of Science and Technology, Silver Spring, MD 20910 (phone: 301–427–8134, email: *roger.b.griffis@noaa.gov*).

FOR FURTHER INFORMATION CONTACT: Additional information may be found at *http://www.st.nmfs.noaa.gov/ecosystems/climate* or contacting Roger Griffis, Climate Change Coordinator, NMFS Office of Science and Technology, Silver Spring, MD 20910, 301–427–8134 or email: *roger.b.griffis@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Summary of Report

Climate-related changes in ocean and coastal ecosystems such as warming oceans, rising seas, loss of sea ice, ocean acidification and coastal droughts are impacting the nation's valuable living marine resources and the many people, businesses and communities that depend on them. These changes are expected to increase with continued changes in the planet's climate and ocean system affecting jobs, impacting economies and disrupting traditional ways of life. There is much at risk. For example, in the United States ocean related commercial and recreational fisheries generate approximately $200 billion in sales and support 1.7 million jobs each year.[1] These current and future climate-related changes also affect the information, tools and actions needed to fulfill the NOAA National Marine Fisheries Service (NOAA Fisheries) stewardship mandates for marine resources and the communities that depend on them.

The NOAA Fisheries Climate Science Strategy (Strategy) is part of a proactive approach to increase the production, delivery, and use of climate-related information needed to fulfill the agency's mandates in a changing climate, including the Magnuson-Stevens Act, Endangered Species Act, Marine Mammal Protection Act, National Environmental Policy Act and others. The Strategy responds to growing demands and directives for information and tools to prepare for and respond to climate impacts on marine and coastal resources, including the National Fish Wildlife and Plants Climate Adaptation Strategy (*http://wildlifeadaptationstrategy.gov/*). It provides a nationally consistent blueprint to address the following seven science objectives:

1. Identify appropriate, climate-informed reference points for managing living marine resources.
2. Identify robust strategies for managing living marine resources under changing climate conditions.
3. Design adaptive decision processes that can incorporate and respond to changing climate conditions.
4. Identify future states of marine and coastal ecosystems, living marine resources, and resource-dependent human communities in a changing climate.

[1] ''Fisheries Economics of the U.S.'' NOAA Office of Science and Technology, *http://www.st.nmfs.noaa.gov/economics/publications/feus/fisheries_economics_2012.*

5. Identify the mechanisms of climate impacts on ecosystems, living marine resources and resource-dependent human communities.

6. Track trends in living marine resources and resource-dependent human communities and provide early warning of change.

7. Build and maintain the science infrastructure needed to fulfill NOAA Fisheries mandates with changing climate conditions.

Implementing the Strategy is crucial for fulfilling NOAA Fisheries mandates, reducing climate-related impacts and increasing the resilience of living marine resources and resource-dependent communities in a changing climate. The Strategy recommends specific near- and medium-term actions that address common information needs across NOAA Fisheries mandates and regions.

The draft Climate Science Strategy underwent public review from January thru March 2015 (80 FR 3558, January 23, 2015) and received approximately 35 stakeholder comments from fishery management councils, states, tribes, academics, Non-Governmental Organizations and members of the public. The comments were generally positive with agreement on the need for action and support for both the content of the strategy and its implementation.

The Strategy is designed to be customized and implemented through Regional Action Plans that focus on building regional capacity and partnerships to address the Strategy's seven objectives. In 2015–2016, NOAA Fisheries Science Centers and Regional Offices will develop Regional Action Plans to identify strengths, weaknesses, priorities, and actions to address the Strategy over the next 5 years. Development of the Regional Action Plans will include opportunity for input from science and management partners and others. The Strategy is a key part of NOAA Fisheries efforts to respond to growing demands for information to help reduce impacts and increase the resilience of living marine resources and the communities that depend on them in a changing climate.

Dated: August 21, 2015.

Ned Cyr,

Director, Office of Science and Technology, National Marine Fisheries Service.

[FR Doc. 2015–21172 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Monterey Peninsula Water Supply Project; Intent To Prepare a Draft Environmental Impact Statement; Scoping Meeting

AGENCY: Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice of intent to prepare environmental impact statement; Scoping meeting.

SUMMARY: A permit application has been submitted by California American Water Company (CalAm) to Monterey Bay National Marine Sanctuary (MBNMS) to construct and operate a seawater reverse osmosis (SWRO) desalination facility project (Project) in Monterey County, California. The permit review process will be conducted concurrently with a public process conducted pursuant to the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*). NOAA is soliciting information and comments on the range of issues and the significant issues to be analyzed in depth related to the Project proposed within MBNMS boundaries.

DATES: Comments must be received by October 2, 2015. A public meeting will be held as detailed below:

Date: September 10, 2015.

Location: Sally Griffin Active Living Center.

Address: 700 Jewell Avenue, Pacific Grove 93950.

Time: The meeting will begin at 2:00 p.m.

ADDRESSES: Comments may be submitted by either of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NOS-2015-0105,* click the ''Comment Now!'' icon, complete the required fields and enter or attach your comments.
- *Mail:* MBNMS Project Lead for CalAm Desalination Project, 99 Pacific Ave., Bldg. 455a, Monterey, CA 93940.

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 NOAA. 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. ONMS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Karen Grimmer at 99 Pacific Ave., Bldg. 455a, Monterey, CA 93940 or *mbnms.comments@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background Information

I. Background

A permit application has been submitted by CalAm for construction and operation of its proposed Monterey Peninsula Water Supply Project (MPWSP or Project). The purpose of the MPWSP is to replace existing water supplies for CalAm's Monterey District service area.

The MPWSP comprises various facilities and improvements, including: A sub-surface seawater intake system; a 9.6-million-gallons-per-day (mgd) seawater reverse osmosis (SWRO) desalination plant; desalinated water storage and conveyance facilities; and expanded Aquifer Storage and Recovery (ASR) facilities.

The desalination facility would be capable of producing 10,627 acre-feet per year (AFY) of potable water on a 46-acre site located north of the City of Marina on unincorporated Monterey County property. The MPWSP proposes ten subsurface slant wells to draw seawater from beneath the ocean floor in Monterey Bay to produce the source water for the desalination plant. The subsurface slant wells would be located primarily within the City of Marina, in the active mining area of the CEMEX sand mining facility. The slant wells would be approximately 700 to 1000 feet in length, with well tips located at approximately 200 to 220 feet below mean sea level. Up to 24.1 mgd of source water would be needed to produce 9.6 mgd of desalinated product water.

The desalination plant would generate approximately 13.98 mgd of brine, including 0.4 mgd of decanted backwash water. The brine would be discharged into Monterey Bay via a 36-inch diameter pipeline to a new connection with the existing Monterey Regional Water Pollution Control Agency's (MRWPCA) outfall and diffuser located at the wastewater facility.

II. Need for Action

This notice of intent (NOI) to prepare a draft environmental impact statement

and conduct scoping is published in accordance with: Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended; and the White House Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (CEQ NEPA Regulations).

The Project was subject to a Draft Environmental Impact Report (EIR), under the provisions of the California Environmental Quality Act (CEQA), published by the California Public Utilities Commission (CPUC) in April 2015. The NEPA environmental documentation will include an Environmental Impact Statement (EIS), which may be issued as a stand-alone document or as a joint draft CEQA/NEPA (EIR/EIS) document with the CPUC.

The environmental document will identify and assess potential environmental impacts associated with the proposed Project and a range of alternatives. Federal agencies would use the EIS to consider related permits or other approvals for the Project as proposed. Possible alternatives could include not approving the Project, approving a reduced size Project, or approving the Project with additional modifications identified as part of the terms and conditions of a permit or other approval.

Publication of this notice initiates the public scoping process to solicit public and agency comment, in writing or at the public meeting, regarding the full spectrum of environmental issues and concerns relating to the scope and content of the EIS, including:

- Analyses of the human and marine resources that could be affected;
- the nature and extent of the potential significant impacts on those resources;
- a reasonable range of alternatives to the proposed action; and
- mitigation measures.

III. Process

This NOI is published by NOAA/MBNMS, the lead federal agency. MBNMS has requested CPUC to re-issue the Project EIR as part of a joint draft CEQA/NEPA document. If the CPUC, as CEQA lead agency, determines that a joint CEQA/NEPA document is appropriate, the two agencies will prepare a joint draft EIR/EIS after completion of the federal scoping process. The NEPA scoping session begins at 2:00 p.m., on Thursday, September 10, 2015 at Sally Griffin Active Living Center in Pacific Grove, CA.

IV. Federal Consultations

This notice also advises the public that NOAA will coordinate its consultation responsibilities under section 7 of the Endangered Species Act (ESA), Essential Fish Habitat (EFH) under the Magnuson Stevens Fishery Conservation and Management Act (MSA), section 106 of the National Historic Preservation Act (NHPA, 16 U.S.C. 470), and Federal Consistency review under the Coastal Zone Management Act (CZMA), along with its ongoing NEPA process including the use of NEPA documents and public and stakeholder meetings to also meet the requirements of other federal laws.

In fulfilling its consultation responsibility under the ESA, MSA, NHPA, CZMA and NEPA, NOAA intends to identify consulting parties and involve the public in accordance with NOAA's NEPA procedures, and develop in consultation with identified consulting parties alternatives and proposed measures that might avoid, minimize or mitigate any adverse effects on endangered species, essential fish habitat, historic properties, or coastal zone management issues, and describe them in any environmental assessment or draft environmental impact statement.

Authority: 16 U.S.C. 1431 *et seq.*

Dated: August 20, 2015.

John Armor,

Acting Director for the Office of National Marine Sanctuaries.

[FR Doc. 2015–21133 Filed 8–25–15; 8:45 am]

BILLING CODE 3510–NK–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2015–OS–0088]

Proposed Collection; Comment Request

AGENCY: Office of the Assistant Secretary of Defense for Personnel and Readiness, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Office of the Assistant Secretary of Defense for Personnel and Readiness announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by October 26, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Deputy Assistant Secretary of Defense, Military Community and Family Policy, ATTN: Casualty Affairs, 4000 Defense Pentagon, Washington, DC 20301–4000.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Questionnaire of Local Inhabitants, DD Form 1074; Disposition of Civilian Remains, DD Form 3004; OMB Control Number 0704–XXXX.

Needs and Uses: The information collection requirement is necessary to obtain and document information from local inhabitants on the location and circumstances surrounding the death of U.S. personnel for whom the Department has responsibility to recover

and provide mortuary services and to obtain and document the election of the person authorized to effect disposition of civilian remains for whom the Department provides mortuary services. If the person authorized to effect disposition does not sign this form, then the Department cannot provide mortuary and transportation services in accordance with their elections or instructions to the extent allowed by statute or DoD policy. This collection is authorized by 10 U.S. Code sections 1481 through 1488. In addition, the Secretary of Defense directed the addition of these forms to ensure transparency and standardization of the mortuary procedures as defined in the Final Report of the Dover Port Mortuary Independent Review Subcommittee Implementation Plan and 180-day study. Currently there is a lack of standardization across the Military Services, as each Service currently utilizes different forms for this election and they do not all capture the same information even on similar forms. Standardizing the information collected is essential in maintaining the transparency and integrity of the mortuary affairs process.

Affected Public: Business or other for profit; Person Authorized to Effect Disposition (PAED); family members of the deceased; local inhabitants.

Annual Burden Hours: 60.

Number of Respondents: 120.

Responses per Respondent: 1.

Average Burden per Response: 30 minutes.

Frequency: On occasion.

The respondents are the person authorized to effect disposition of the civilian decedent for whom mortuary services as described on DD Form 3004 is recommended or required, and the DoD witness to that election. The person authorized to effect disposition documents their election on DD Form 3004, and signs the form. The election and signature are witnessed by a military service member or DoD civilian to formalize this process and document the election. This form becomes a part of the Official Individual Deceased Personnel File. If the person authorized to effect disposition does not sign this form, then the Department cannot provide the authorized mortuary and transportation services.

The respondents for DD Form 1074 are the Military Service Member and the local inhabitant being interviewed. The Service Member is the individual completing the form, however in the process information is collected on the person interviewed. This form becomes a part of the Official Individual Deceased Personnel File. This form documents the location and circumstances surrounding a deceased individual as applicable.

Currently there is a lack of standardization across the Military Services, as each Service currently utilizes different forms for these elections and documentation and they do not all capture the same information even on similar forms. Standardizing the information collected is essential in maintaining the transparency and integrity of the mortuary affairs process.

Dated: August 21, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–21129 Filed 8–25–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

TRICARE; Fiscal Year 2016 Continued Health Care Benefit Program Premium Update

AGENCY: Office of the Secretary, Department of Defense.

ACTION: Notice of Continued Health Care Benefit Program Premiums for Fiscal Year 2016.

SUMMARY: This notice provides the Continued Health Care Benefit Program (CHCBP) premiums for Fiscal Year 2016.

DATES: The Fiscal Year 2016 rates contained in this notice are effective for services on or after October 1, 2015.

ADDRESSES: Defense Health Agency, TRICARE Health Plan, 7700 Arlington Boulevard, Suite 5101, Falls Church, Virginia 22042–5101.

FOR FURTHER INFORMATION CONTACT: Mark A. Ellis, telephone (703) 681–0039.

SUPPLEMENTARY INFORMATION: The final rule published in the **Federal Register** on September 30, 1994 (59 FR 49818) sets forth rules to implement the CHCBP required by 10 U.S.C. 1078a. Included in this final rule were provisions for updating the CHCBP premiums for each federal fiscal year. As stated in the final rule, the premiums are based on Federal Employee Health Benefit Program employee and agency contributions required for a comparable health benefits plan, plus an administrative fee. Premiums may be revised annually and shall be published annually.

The Defense Health Agency has updated the quarterly premiums for Fiscal Year 2016 as shown below:

Quarterly CHCBP Premiums for Fiscal Year 2016

Individual $1,300
Family $2,925

The above premiums are effective for services rendered on or after October 1, 2015.

Dated: August 21, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–21116 Filed 8–25–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Notice of Intent To Prepare a Supplemental Draft Environmental Impact Statement for the Lower Cache Creek Flood Risk Management Project, City of Woodland, Yolo County, California (CA)

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of Intent.

SUMMARY: The U.S. Army Corps of Engineers (Corps), Sacramento District, intends to prepare an integrated Feasibility Report/Supplemental Draft Environmental Impact Statement (FR/SDEIS) for the Lower Cache Creek Flood Risk Management Feasibility Study (feasibility study). The Corps will serve as the lead agency for compliance with the National Environmental Policy Act (NEPA). The feasibility study is evaluating opportunities to reduce flood damages to the city of Woodland and improve the conveyance of the hydraulic system in the lower Cache Creek Basin, in Yolo County, CA.

A Draft EIS was originally submitted for public review on March 21, 2003 (68 FR 13907). Following an assessment of public comments received as well as a determination of additional technical, environmental, and economic evaluation needs, the local sponsors, the City of Woodland and the Reclamation Board of the State of California, decided to pause the feasibility study. The 2003 Draft EIS/EIR was never finalized and no Record of Decision was prepared. The local sponsor reinitiated the study with the Corps in 2011 after further coordination with stakeholders and interested parties. Because of significant new circumstances and information relevant to environmental concerns and bearing on the proposed action or its impacts, a supplement to the 2003 draft EIS is being prepared.

DATES: Written comments regarding the scope of the feasibility study and SDEIS should be received by the Corps on or before September 25, 2015.

ADDRESSES: Send written comments and suggestions concerning this feasibility study and SDEIS to Mr. Tyler Stalker, U.S. Army Corps of Engineers, Sacramento District, Attn: Public Affairs Office (CESPK–PAO), 1325 J Street, Sacramento, CA 95814 or telephone at (916) 557–5107. Requests to be placed on the mailing list should also be sent to this address.

FOR FURTHER INFORMATION CONTACT: Mr. Mario Parker, email at *mario.g.parker@usace.army.mil,* telephone (916) 557–6701, or fax (916) 557–7856.

SUPPLEMENTARY INFORMATION:

1. *Proposed Action.* The Corps in cooperation with the non-Federal sponsors (The Central Valley Flood Protection Board and the City of Woodland) is conducting a cost-shared feasibility study on alternative flood risk reduction measures to the city of Woodland, Yolo County, CA, adjacent unincorporated areas, and agricultural lands. The study is authorized by section 209 of the Flood Control Act of 1962 (Pub. L. 87–874). A reconnaissance study of flooding problems in the westside tributaries, including Putah and Cache Creeks, and the Yolo Bypass was conducted in 1993–1994 under the authorization of the Energy and Water Development Appropriations Act of 1993. Recommendations from the reconnaissance study resulted in the pursuit of the present feasibility study.

2. *Alternatives.* The feasibility study's SDEIS will evaluate a combination of one or more flood control measures including setback levee along Cache Creek, stream channel improvements, a north Woodland floodway, a northern bypass into the Colusa Drain, and a no-action alternative. Mitigation measures for any significant adverse effects on environmental resources will be identified and incorporated into the alternatives in compliance with various Federal and State statutes.

3. *Scoping Process.*

a. A public scoping meeting will be held on September 3, 2015, from 4:00 p.m. to 7:00 p.m. at the Woodland Community Center at 2001 East Street in Woodland, CA. An overview of the study and the NEPA process will be presented, and an opportunity will be afforded to all interested parties to provide comments regarding the scope of the SDEIS analysis as well as potential alternatives.

b. The study plan provides for public scoping, meetings, and comment. The Corps has initiated a process of involving concerned Federal, State, and local agencies and individuals. The City of Woodland has held periodic public meetings to discuss issues and solicit public comment. Also, an initial public scoping meeting was held by the Corps on May 30, 2000. Comments received focused on flooding along Cache Creek, land subsidence, gravel mining, and effects of alternatives on the Cache Creek Settling Basin. In addition, comments received on the draft EIS submitted for review on March 21, 2003 are also being considered in the SDEIS. Finally, public awareness of the development of a proposed array of alternatives is being pursued through individual meetings between sponsors and key stakeholders. An initial public information meeting was held in November 2013.

c. Issues that will be analyzed in depth in the SDEIS include effects on vegetation and wildlife, special-status species, water quality, air quality, socio-economic conditions, and cultural resources. Other issues may include geology, soils, topography, noise, esthetics, climate and recreation. Also to be considered is the city ordinance adopted by the City of Woodland restricting any flood solution that would similarly produce deep floodplains north of the city (City Code Section 10.1, Flood Control Policy).

d. The Corps will consult with the U.S. Fish and Wildlife Service to comply with the Endangered Species and the Fish and Wildlife Coordination Acts. The Corps will also consult with the State Historic Preservation Officer to comply with the National Historic Preservation Act and coordinate with the U.S. Bureau of Indian Affairs to establish consultation requirements with tribes having trust assets and tribal interests that could be affected by the feasibility study's outcome.

e. A 45-day review period will be allowed for all interested agencies and individuals to review and comment on the draft FR/SDEIS. All interested persons are encouraged to respond to this notice and provide a current address if they wish to be contacted about the draft FR/SDEIS.

4. *Availability.* The FR/SDEIS is scheduled to be available for public review and comment in May 2016.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 2015–21165 Filed 8–25–15; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF ENERGY

[FE Docket No. 15–97–LNG]

Corpus Christi Liquefaction, LLC; Application for Long-Term, Multi-Contract Authorization To Export Liquefied Natural Gas to Non-Free Trade Agreement Nations for a 20-Year Period

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application), filed on June 1, 2015, by Corpus Christi Liquefaction, LLC (CCL), requesting long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to approximately 514 billion cubic feet per year (Bcf/yr) of natural gas (1.41 Bcf per day). CCL seeks to export the LNG by vessel from its natural gas liquefaction project, which is currently under construction in San Patricio and Nueces Counties, Texas (the Corpus Christi Liquefaction Project, or CCL Project). CCL and/or its affiliate, Cheniere Marketing, LLC, already have received authorizations from the Federal Energy Regulatory Commission (FERC) and DOE/FE, respectively, to construct and develop three liquefaction trains (Trains 1, 2, and 3) to liquefy natural gas at the CCL Project for export to foreign markets.[1] In this Application, CCL seeks authorization from DOE/FE to export an additional volume of domestically produced LNG from two new liquefaction trains—Trains 4 and 5, which are part of a proposed expansion of the CCL Project (Stage 3 Project).[2] CCL requests authorization to export this LNG to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries).[3]

[1] *See, e.g.,* App. at 2 n.5; *Cheniere Marketing, LLC & Corpus Christi Liquefaction, LLC,* DOE/FE Order No. 3638, FE Docket No. 12–97–LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Corpus Christi Liquefaction Project to be Located in Corpus Christi, Texas, to Non-Free Trade Agreement Nations (May 12, 2015); *Cheniere Marketing, LLC,* DOE/FE Order No. 3164, FE Docket No. 12–99–LNG, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Corpus Christi Liquefaction Project to Free Trade Agreement Nations (Oct. 16, 2012).

[2] App. at 3.

[3] In the Application, CCL also requests authorization to export the same volume of LNG from the CCL Project to any nation that currently

CCL requests the authorization for a 20-year term to commence on the earlier of the date of first export or eight years from the date the requested authorization is granted. CCL seeks to export this LNG on its own behalf and as agent for other entities who will hold title to the LNG at the time of export. The Application was filed under section 3 of the Natural Gas Act (NGA). Additional details can be found in CCL's Application, posted on the DOE/FE Web site at: *http://energy.gov/sites/prod/files/2015/07/f24/15_97_lng_nfta.pdf.* Protests, motions to intervene, notices of intervention, and written comments are invited.

DATES: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed using procedures detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, October 26, 2015.

ADDRESSES:

Electronic Filing by Email

fergas@hq.doe.gov.

Regular Mail

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, P.O. Box 44375, Washington, DC 20026–4375.

Hand Delivery or Private Delivery Services (e.g., FedEx, UPS, etc.)

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT:

Larine Moore or Marc Talbert, U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478; (202) 586–7991.

Cassandra Bernstein, U.S. Department of Energy (GC–76), Office of the Assistant General Counsel for Electricity and Fossil Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9793.

SUPPLEMENTARY INFORMATION:

DOE/FE Evaluation

The Application will be reviewed pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a), and DOE will consider any issues required by law or policy. To the extent determined to be relevant, these issues will include the domestic need for the natural gas proposed to be exported, the adequacy of domestic natural gas supply, U.S. energy security, and the cumulative impact of the requested authorization and any other LNG export application(s) previously approved on domestic natural gas supply and demand fundamentals. DOE may also consider other factors bearing on the public interest, including the impact of the proposed exports on the U.S. economy (including GDP, consumers, and industry), job creation, the U.S. balance of trade, and international considerations; and whether the authorization is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. Additionally, DOE will consider the following environmental documents:

- *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States,* 79 FR 48132 (Aug. 15, 2014);[4] and
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States,* 79 FR 32260 (June 4, 2014).[5]

Parties that may oppose this Application should address these issues in their comments and/or protests, as well as other issues deemed relevant to the Application.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.,* requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its environmental responsibilities.

Public Comment Procedures

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Due to the complexity of the issues raised by the Applicant, interested persons will be provided 60 days from the date of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by the regulations in 10 CFR part 590.

Filings may be submitted using one of the following methods: (1) Emailing the filing to *fergas@hq.doe.gov*, with FE Docket No. 15–97–LNG in the title line; (2) mailing an original and three paper copies of the filing to the Office of Oil and Gas Global Security and Supply at the address listed in **ADDRESSES**; or (3) hand delivering an original and three paper copies of the filing to the Office of Oil and Gas Global Supply at the address listed in **ADDRESSES**. All filings must include a reference to FE Docket No. 15–97–LNG. **Please Note:** If submitting a filing via email, please include all related documents and attachments (*e.g.*, exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner. Any hardcopy filing submitted greater in length than 50 pages must also include, at the time of the filing, a digital copy on disk of the entire submission.

A decisional record on the Application will be developed through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

The Application is available for inspection and copying in the Division of Natural Gas Regulatory Activities docket room, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585. The docket

has, or in the future enters into, a FTA requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (FTA countries). DOE/FE will review that request separately pursuant to NGA § 3(c), 15 U.S.C. 717b(c).

[4] The Addendum and related documents are available at: *http://energy.gov/fe/draft-addendum-environmental-review-documents-concerning-exports-natural-gas-united-states.*

[5] The Life Cycle Greenhouse Gas Report is available at: *http://energy.gov/fe/life-cycle-greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states.*

room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The Application and any filed protests, motions to intervene or notice of interventions, and comments will also be available electronically by going to the following DOE/FE Web address: *http://www.fe.doe.gov/programs/gasregulation/index.html.*

Issued in Washington, DC, on August 20, 2015.

John A. Anderson,

Director, Office of Oil and Gas Global Security and Supply, Office of Oil and Natural Gas.

[FR Doc. 2015–21126 Filed 8–25–15; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

[FE Docket No. 15–63–LNG]

Sabine Pass Liquefaction, LLC; Application for Long-Term, Multi-Contract Authorization To Export Liquefied Natural Gas to Non-Free Trade Agreement Nations for a 20-Year Period

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application), filed on April 20, 2015, by Sabine Pass Liquefaction, LLC (SPL), requesting long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to approximately 203 billion cubic feet per year (Bcf/yr) of natural gas (0.56 Bcf per day). SPL seeks to export the LNG by vessel from Trains 1 through 4 of the Sabine Pass Liquefaction Project (Liquefaction Project), which SPL and its affiliate, Sabine Pass LNG, L.P., are currently constructing at the existing Sabine Pass LNG Terminal in Cameron Parish, Louisiana.[1] SPL requests authorization to export this LNG to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries).[2] DOE/FE notes that the requested export volume (203 Bcf/yr) is incremental and therefore additive to the volumes of LNG previously authorized for export from the Liquefaction Project to non-FTA countries. Specifically, SPL states that the grant of this Application will align the volumes of LNG authorized for export to non-FTA countries with the maximum liquefaction production capacity of the Liquefaction Project, as approved by the Federal Energy Regulatory Commission.[3] SPL requests the authorization for a 20-year term to commence on the date of first commercial export from the Liquefaction Project. SPL seeks to export this LNG on its own behalf and as agent for other entities who will hold title to the LNG at the time of export. The Application was filed under section 3 of the Natural Gas Act (NGA). Additional details can be found in SPL's Application, posted on the DOE/FE Web site at: *http://energy.gov/sites/prod/files/2015/05/f22/15_63_lng.pdf*

Protests, motions to intervene, notices of intervention, and written comments are invited.

DATES: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed using procedures detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, October 26, 2015.

ADDRESSES:

Electronic Filing by Email

fergas@hq.doe.gov.

Regular Mail

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, P.O. Box 44375, Washington, DC 20026–4375.

Hand Delivery or Private Delivery Services (e.g., FedEx, UPS, etc.)

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT:

Larine Moore or Benjamin Nussdorf, U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478; (202) 586–7991.

Cassandra Bernstein, U.S. Department of Energy (GC–76), Office of the Assistant General Counsel for Electricity and Fossil Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9793.

SUPPLEMENTARY INFORMATION:

DOE/FE Evaluation

The Application will be reviewed pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a), and DOE will consider any issues required by law or policy. To the extent determined to be relevant, these issues will include the domestic need for the natural gas proposed to be exported, the adequacy of domestic natural gas supply, U.S. energy security, and the cumulative impact of the requested authorization and any other LNG export application(s) previously approved on domestic natural gas supply and demand fundamentals. DOE may also consider other factors bearing on the public interest, including the impact of the proposed exports on the U.S. economy (including GDP, consumers, and industry), job creation, the U.S. balance of trade, and international considerations; and whether the authorization is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. Additionally, DOE will consider the following environmental documents:

- *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States,* 79 FR 48132 (Aug. 15, 2014);[4] and
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States,* 79 FR 32260 (June 4, 2014).[5]

[1] SPL states that the requested authorization would require no new construction or modification of authorized facilities. App. at 2 n.4.

[2] In a prior application filed in FE Docket No. 14–92–LNG on July 11, 2014, SPL requested authorization to export the same volume of LNG from the Liquefaction Project (Trains 1–4) to any nation that currently has, or may enter into, a FTA requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (FTA countries). On February 12, 2015, DOE/FE granted that request in Order No. 3595 pursuant to NGA § 3(c), 15 U.S.C. 717b(c). *See Sabine Pass Liquefaction, LLC,* DOE/FE Order No. 3595, FE Docket No. 14–92–LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal in Cameron Parish, Louisiana, to Free Trade Agreement Nations (Feb. 12, 2015); *Sabine Pass Liquefaction, LLC,* Errata to DOE/FE Order Nos. 3595 & 3384, FE Docket Nos. 14–92–LNG & 13–121–LNG (Feb. 24, 2015). For additional procedural history, see *Sabine Pass Liquefaction, LLC,* DOE/FE Order No. 3669, FE Docket Nos. 13–30–LNG, 13–42–LNG, & 13–121–LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal Located in Cameron Parish, Louisiana, to Non-Free Trade Agreement Nations, at 18–21 (June 26, 2015).

[3] App. at 2 n.5.

[4] The Addendum and related documents are available at: *http://energy.gov/fe/draft-addendum-environmental-review-documents-concerning-exports-natural-gas-united-states.*

[5] The Life Cycle Greenhouse Gas Report is available at: *http://energy.gov/fe/life-cycle-*

Parties that may oppose this Application should address these issues in their comments and/or protests, as well as other issues deemed relevant to the Application.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.,* requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its environmental responsibilities.

Public Comment Procedures

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Due to the complexity of the issues raised by the Applicant, interested persons will be provided 60 days from the date of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by the regulations in 10 CFR part 590.

Filings may be submitted using one of the following methods: (1) emailing the filing to *fergas@hq.doe.gov,* with FE Docket No. 15–63–LNG in the title line; (2) mailing an original and three paper copies of the filing to the Office of Oil and Gas Global Security and Supply at the address listed in **ADDRESSES**; or (3) hand delivering an original and three paper copies of the filing to the Office of Oil and Gas Global Supply at the address listed in **ADDRESSES**. All filings must include a reference to FE Docket No. 15–63–LNG. **Please Note:** If submitting a filing via email, please include all related documents and attachments (*e.g.,* exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner. Any hardcopy filing submitted greater in length than 50 pages must also include, at the time of the filing, a digital copy on disk of the entire submission.

A decisional record on the Application will be developed through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

The Application is available for inspection and copying in the Division of Natural Gas Regulatory Activities docket room, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The Application and any filed protests, motions to intervene or notice of interventions, and comments will also be available electronically by going to the following DOE/FE Web address: *http://www.fe.doe.gov/programs/gasregulation/index.html.*

Issued in Washington, DC, on August 20, 2015.

John A. Anderson,

Director, Office of Oil and Gas Global Security and Supply, Office of Oil and Natural Gas.

[FR Doc. 2015–21125 Filed 8–25–15; 8:45 am]

BILLING CODE 6450–01–P

greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states.

DEPARTMENT OF ENERGY

[FE Docket No. 15–78–LNG]

Strom, Inc.; Application for Long-Term, Multi-Contract Authorization To Export Liquefied Natural Gas to Non-Free Trade Agreement Nations for a 25-Year Period

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application), filed on May 6, 2015, by Strom, Inc. (Strom), requesting long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to approximately 56.42 billion cubic feet per year (Bcf/yr) of natural gas (0.15 Bcf/day).[1] Strom seeks to export the LNG from its proposed natural gas liquefaction project in Crystal River, Florida (Facility). According to Strom, the LNG will be liquefied in modular, scalable, and portable LNG systems at the Facility.[2] The LNG will be loaded into approved ISO IMO7/TVAC–ASME LNG (ISO) containers, and sent by highway or rail to Port Tampa Bay or other ports that will require little or no modification to export by ocean-going vessel.[3] Strom requests authorization to export this LNG to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries).[4] Strom requests the authorization for a 25-year term to commence on the earlier of the date of first export or five years from the date the authorization is granted. Strom seeks to export this LNG on its own behalf and as agent for other entities who hold title to the LNG at the time of export. The Application was filed under section 3 of the Natural Gas Act (NGA). Additional details can be found in Strom's Application, posted on the DOE/FE Web site at: *http://energy.gov/sites/prod/files/2015/05/f22/15_78_lng.pdf.*

Protests, motions to intervene, notices of intervention, and written comments are invited.

DATES: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed using procedures detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, October 26, 2015.

ADDRESSES:

[1] Strom states that this Application replaces the applications it previously filed in FE Docket Nos. 14–57–LNG and 14–58–LNG, which it has withdrawn.

[2] In its Application, Strom provides additional information about these modular LNG systems, and how it intends to begin and eventually to increase LNG production to the requested export level. App. at 2.

[3] *See id.* at 3, 5.

[4] On October 21, 2014, in Order No. 3537, DOE/FE authorized Strom to export domestically produced LNG in a volume equivalent to 28.21 Bcf/yr of natural gas from the proposed Facility to any country with which the United States has a FTA requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. or policy (FTA countries). *Strom, Inc.,* DOE/FE Order No. 3537, FE Docket No. 14–56–LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas in ISO Containers Loaded at the Proposed Strom LNG Terminal in Crystal River, Florida, and Exported by Vessel to Free Trade Agreement Nations (Oct. 21, 2014). The volume sought in this Application is not additive to the volume approved for export in that order.

Electronic Filing by Email

fergas@hq.doe.gov.

Regular Mail

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, P.O. Box 44375,Washington, DC 20026–4375.

Hand Delivery or Private Delivery Services (e.g., FedEx, UPS, etc.)

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Larine Moore or Benjamin Nussdorf, U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478; (202) 586–7991.

Cassandra Bernstein, U.S. Department of Energy (GC–76), Office of the Assistant General Counsel for Electricity and Fossil Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9793.

SUPPLEMENTARY INFORMATION:

DOE/FE Evaluation

The Application will be reviewed pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a), and DOE will consider any issues required by law or policy. To the extent determined to be relevant, these issues will include the domestic need for the natural gas proposed to be exported, the adequacy of domestic natural gas supply, U.S. energy security, and the cumulative impact of the requested authorization and any other LNG export application(s) previously approved on domestic natural gas supply and demand fundamentals. DOE may also consider other factors bearing on the public interest, including the impact of the proposed exports on the U.S. economy (including GDP, consumers, and industry), job creation, the U.S. balance of trade, and international considerations; and whether the authorization is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. Additionally, DOE will consider the following environmental document: *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States,* 79 FR 48132 (Aug. 15, 2014).[5] Parties that may oppose this Application should address these issues in their comments and/or protests, as well as other issues deemed relevant to the Application.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.,* requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its environmental responsibilities.

Public Comment Procedures

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Due to the complexity of the issues raised by the Applicant, interested persons will be provided 60 days from the date of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by the regulations in 10 CFR Part 590.

Filings may be submitted using one of the following methods: (1) emailing the filing to *fergas@hq.doe.gov,* with FE Docket No. 15–78–LNG in the title line; (2) mailing an original and three paper copies of the filing to the Office of Oil and Gas Global Security and Supply at the address listed in **ADDRESSES**; or (3) hand delivering an original and three paper copies of the filing to the Office of Oil and Gas Global Supply at the address listed in **ADDRESSES**. All filings must include a reference to FE Docket No. 15–78–LNG. **Please Note:** If submitting a filing via email, please include all related documents and attachments (*e.g.,* exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner. Any hardcopy filing submitted greater in length than 50 pages must also include, at the time of the filing, a digital copy on disk of the entire submission.

A decisional record on the Application will be developed through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

The Application is available for inspection and copying in the Division of Natural Gas Regulatory Activities docket room, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The Application and any filed protests, motions to intervene or notice of interventions, and comments will also be available electronically by going to the following DOE/FE Web address: *http://www.fe.doe.gov/programs/gasregulation/index.html.*

Issued in Washington, DC, on August 20, 2015.

John A. Anderson,

Director, Office of Oil and Gas Global Security and Supply, Office of Oil and Natural Gas.

[FR Doc. 2015–21127 Filed 8–25–15; 8:45 am]

BILLING CODE 6450–01–P

[5] The Addendum and related documents are available at: *http://energy.gov/fe/draft-addendum-environmental-review-documents-concerning-exports-natural-gas-united-states.*

DEPARTMENT OF ENERGY

President's Council of Advisors on Science and Technology

AGENCY: Office of Science, Department of Energy.

ACTION: Notice of partially-closed meeting.

SUMMARY: This notice sets forth the schedule and summary agenda for a partially-closed meeting of the President's Council of Advisors on Science and Technology (PCAST), and describes the functions of the Council. The Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: September 18, 2015—9:30 a.m. to 12:00 p.m.

ADDRESSES: The meeting will be held at the National Academy of Sciences, 2101 Constitution Avenue NW., Washington, DC in the Lecture Room.

FOR FURTHER INFORMATION CONTACT: Information regarding the meeting agenda, time, location, and how to register for the meeting is available on the PCAST Web site at: *http://whitehouse.gov/ostp/pcast.* A live video webcast and an archive of the webcast after the event are expected to be available at *http://whitehouse.gov/ostp/pcast.* The archived video will be available within one week of the meeting. Questions about the meeting should be directed to Dr. Ashley Predith at *apredith@ostp.eop.gov,* (202) 456–4444. Please note that public seating for this meeting is limited and is available on a first-come, first-served basis.

SUPPLEMENTARY INFORMATION: The President's Council of Advisors on Science and Technology (PCAST) is an advisory group of the nation's leading scientists and engineers, appointed by the President to augment the science and technology advice available to him from inside the White House, cabinet departments, and other Federal agencies. See the Executive Order at *http://www.whitehouse.gov/ostp/pcast.* PCAST is consulted about and provides analyses and recommendations concerning a wide range of issues where understandings from the domains of science, technology, and innovation may bear on the policy choices before the President. PCAST is co-chaired by Dr. John P. Holdren, Assistant to the President for Science and Technology, and Director, Office of Science and Technology Policy, Executive Office of the President, The White House; and Dr. Eric S. Lander, President, Broad Institute of the Massachusetts Institute of Technology and Harvard.

Type of Meeting: Open and Closed.

Proposed Schedule and Agenda: The President's Council of Advisors on Science and Technology (PCAST) is scheduled to meet in open session on September 18, 2015 from 9:30 a.m. to 12 p.m.

Open Portion of Meeting: During this open meeting, PCAST is scheduled to discuss its studies on the future of cities and on technology for older Americans. They will also hear from speakers who will remark on science, technology, and standards. Additional information and the agenda, including any changes that arise, will be posted at the PCAST Web site at: *http://whitehouse.gov/ostp/pcast.*

Closed Portion of the Meeting: PCAST may hold a closed meeting of approximately one hour with the President on September 18, 2015, which must take place in the White House for the President's scheduling convenience and to maintain Secret Service protection. This meeting will be closed to the public because such portion of the meeting is likely to disclose matters that are to be kept secret in the interest of national defense or foreign policy under 5 U.S.C. 552b(c)(1).

Public Comments: It is the policy of the PCAST to accept written public comments of any length, and to accommodate oral public comments whenever possible. The PCAST expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

The public comment period for this meeting will take place on September 18, 2015 at a time specified in the meeting agenda posted on the PCAST Web site at *http://whitehouse.gov/ostp/pcast.* This public comment period is designed only for substantive commentary on PCAST's work, not for business marketing purposes.

Oral Comments: To be considered for the public speaker list at the meeting, interested parties should register to speak at *http://whitehouse.gov/ostp/pcast,* no later than 12:00 p.m. Eastern Time on September 10, 2015. Phone or email reservations will not be accepted. To accommodate as many speakers as possible, the time for public comments will be limited to two (2) minutes per person, with a total public comment period of up to 15 minutes. If more speakers register than there is space available on the agenda, PCAST will randomly select speakers from among those who applied. Those not selected to present oral comments may always file written comments with the committee. Speakers are requested to bring at least 25 copies of their oral comments for distribution to the PCAST members.

Written Comments: Although written comments are accepted continuously, written comments should be submitted to PCAST no later than 12:00 p.m. Eastern Time on September 10, 2015 so that the comments may be made available to the PCAST members prior to this meeting for their consideration. Information regarding how to submit comments and documents to PCAST is available at *http://whitehouse.gov/ostp/pcast* in the section entitled ''Connect with PCAST.''

Please note that because PCAST operates under the provisions of FACA, all public comments and/or presentations will be treated as public documents and will be made available for public inspection, including being posted on the PCAST Web site.

Meeting Accommodations: Individuals requiring special accommodation to access this public meeting should contact Dr. Ashley Predith at least ten business days prior to the meeting so that appropriate arrangements can be made.

Issued in Washington, DC, on August 20, 2015.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2015–21130 Filed 8–25–15; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

[FE Docket No. 15–96–LNG]

Port Arthur LNG, LLC; Application for Long-Term, Multi-Contract Authorization To Export Liquefied Natural Gas to Non-Free Trade Agreement Nations for a 20-Year Period

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application), filed on June 15, 2015, by Port Arthur LNG, LLC (Port Arthur LNG), requesting long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to approximately 517 billion cubic feet per year (Bcf/yr) of natural gas (1.42 Bcf/day). Port Arthur LNG seeks to export the LNG from a proposed natural gas processing, liquefaction, and export project it intends to construct, own, and operate in Port Arthur, Texas (Port Arthur LNG Project). Port Arthur LNG requests authorization to export this LNG to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries). Port Arthur LNG requests the authorization for a 20-year term to commence on the earlier of the date of first commercial export or seven years from the date the requested authorization is granted. Port Arthur LNG seeks to export this LNG on its own behalf and as agent for other entities who will hold title to the LNG at the time of export. The Application was filed under section 3 of the Natural Gas Act (NGA). Additional details can be found in Port Arthur LNG's Application, posted on the DOE/FE Web

site at: *http://energy.gov/sites/prod/files/2015/06/f23/15_96_lng_nfta.pdf.*

Protests, motions to intervene, notices of intervention, and written comments are invited.

DATES: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed using procedures detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, October 26, 2015.

ADDRESSES:

Electronic Filing by email

fergas@hq.doe.gov.

Regular Mail

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, P.O. Box 44375, Washington, DC 20026–4375.

Hand Delivery or Private Delivery Services (e.g., FedEx, UPS, etc.)

U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT:

Larine Moore or Benjamin Nussdorf, U.S. Department of Energy (FE–34), Office of Oil and Gas Global Security and Supply, Office of Fossil Energy, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478; (202) 586–7991.

Cassandra Bernstein, U.S. Department of Energy (GC–76), Office of the Assistant General Counsel for Electricity and Fossil Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9793.

SUPPLEMENTARY INFORMATION:

DOE/FE Evaluation

The Application will be reviewed pursuant to section 3(a) of the NGA, 15 U.S.C. 717b(a), and DOE will consider any issues required by law or policy. To the extent determined to be relevant, these issues will include the domestic need for the natural gas proposed to be exported, the adequacy of domestic natural gas supply, U.S. energy security, and the cumulative impact of the requested authorization and any other LNG export application(s) previously approved on domestic natural gas supply and demand fundamentals. DOE may also consider other factors bearing on the public interest, including the impact of the proposed exports on the U.S. economy (including GDP, consumers, and industry), job creation, the U.S. balance of trade, and international considerations; and whether the authorization is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. Additionally, DOE will consider the following environmental documents:

- *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States,* 79 FR 48132 (Aug. 15, 2014);[1] and
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States,* 79 FR 32260 (June 4, 2014).[2]

Parties that may oppose this Application should address these issues in their comments and/or protests, as well as other issues deemed relevant to the Application.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.,* requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its environmental responsibilities.

Public Comment Procedures

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of intervention, as applicable. Due to the complexity of the issues raised by the Applicant, interested persons will be provided 60 days from the date of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to the proceeding must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by the regulations in 10 CFR part 590.

Filings may be submitted using one of the following methods: (1) emailing the filing to *fergas@hq.doe.gov*, with FE Docket No. 15–96–LNG in the title line; (2) mailing an original and three paper copies of the filing to the Office of Oil and Gas Global Security and Supply at the address listed in **ADDRESSES**; or (3) hand delivering an original and three paper copies of the filing to the Office of Oil and Gas Global Supply at the address listed in **ADDRESSES**. All filings must include a reference to FE Docket No. 15–96–LNG. **Please Note:** If submitting a filing via email, please include all related documents and attachments (*e.g.*, exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner. Any hardcopy filing submitted greater in length than 50 pages must also include, at the time of the filing, a digital copy on disk of the entire submission.

A decisional record on the Application will be developed through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

The Application is available for inspection and copying in the Division of Natural Gas Regulatory Activities docket room, Room 3E–042, 1000 Independence Avenue SW., Washington, DC 20585. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The Application and any filed protests, motions to intervene or notice of interventions, and comments will also be available electronically by going to the following DOE/FE Web address: *http://www.fe.doe.gov/programs/gasregulation/index.html.*

[1] The Addendum and related documents are available at: *http://energy.gov/fe/draft-addendum-environmental-review-documents-concerning-exports-natural-gas-united-states.*

[2] The Life Cycle Greenhouse Gas Report is available at: *http://energy.gov/fe/life-cycle-greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states.*

Issued in Washington, DC, on August 20, 2015.

John A. Anderson,

Director, Office of Oil and Gas Global Security and Supply, Office of Oil and Natural Gas.

[FR Doc. 2015–21128 Filed 8–25–15; 8:45 am]

BILLING CODE 6450–01–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: RP15–1199–000.
Applicants: Texas Eastern Transmission, LP.
Description: Section 4(d) rate filing per 154.204: Modifications to Reservation Charge Adjustment Provisions to be effective 10/1/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5109.
Comments Due: 5 p.m. ET 8/31/15.

Docket Numbers: RP15–1200–000.
Applicants: Midwestern Gas Transmission Company.
Description: Section 4(d) rate filing per 154.204: Clean Up of Summary of Non-Conforming and Negotiated Rate Agreements to be effective 9/21/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5155.
Comments Due: 5 p.m. ET 8/31/15.

Docket Numbers: RP15–1201–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: Section 4(d) rate filing per 154.403(d)(2): EPNG FL&U Filing to be effective 9/1/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5191.
Comments Due: 5 p.m. ET 8/25/15.

Docket Numbers: RP15–1202–000.
Applicants: Southern Natural Gas Company, L.L.C.
Description: Section 4(d) rate filing per 154.204: Fuel Retention Rates—Winter 2015 to be effective 10/1/2015.
Filed Date: 8/20/15.
Accession Number: 20150820–5045.
Comments Due: 5 p.m. ET 9/1/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 20, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–21112 Filed 8–25–15; 8:45 a.m.]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC15–191–000.
Applicants: TerraForm Private LLC, Meadow Creek Project Company LLC, Goshen Phase II LLC, Wolverine Creek Goshen Interconnection LLC, Canadian Hills Wind, LLC, Rockland Wind Farm LLC, Burley Butte Wind Park, LLC, Golden Valley Wind Park, LLC, Milner Dam Wind Park, LLC, Oregon Trail Wind Park, LLC, Pilgrim Stage Station Wind Park, LLC, Thousand Springs Wind Park, LLC, Tuana Gulch Wind Park, LLC, Camp Reed Wind Park, LLC, Payne's Ferry Wind Park, LLC, Salmon Falls Wind Park, LLC, Yahoo Creek Wind Park, LLC.
Description: Application for Authorization Under Section 203 of the Federal Power Act, Requests for Expedited Action, Waivers of Filing Requirements and Confidential Treatment of Transaction Document of TerraForm Private LLC, et al.
Filed Date: 8/18/15.
Accession Number: 20150818–5200.
Comments Due: 5 p.m. ET 9/8/15.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER15–2477–000.
Applicants: Golden Hills Wind, LLC.
Description: Baseline eTariff Filing: Golden Hills Wind, LLC Application for MBR Authority to be effective 10/1/2015.
Filed Date: 8/18/15.
Accession Number: 20150818–5171.
Comments Due: 5 p.m. ET 9/8/15.

Docket Numbers: ER15–2478–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Section 205(d) Rate Filing: 2015–08–19_SA 2795 ATC-City of Hartford CFA to be effective 10/18/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5050.
Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2479–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Section 205(d) Rate Filing: 2015–08–19_SA 2800 ATC-City of Stoughton CFA to be effective 10/18/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5051.
Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2480–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Section 205(d) Rate Filing: 2015–08–19_SA 2802 ATC-City of Two Rivers CFA to be effective 10/18/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5052.
Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2481–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Section 205(d) Rate Filing: 2015–08–19_SA 2803 ATC-Badger Power Marketing Authority CFA to be effective 10/18/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5053.
Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2482–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: Compliance filing: 2015–08–19_Ameren Services Compliance Att O–AIC (AC11–46) to be effective 1/1/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5057.
Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2483–000.
Applicants: LRI Renewable Energy LLC.
Description: Baseline eTariff Filing: Initial Baseline Filing—LRI Renewable Energy LLC to be effective 8/19/2015.
Filed Date: 8/19/15.
Accession Number: 20150819–5071.
Comments Due: 5 p.m. ET 9/9/15.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR15–15–000.
Applicants: North American Electric Reliability Corp.
Description: Petition of the North American Electric Reliability

Corporation for Approval of Amendments to the Bylaws of Texas Reliability Entity, Inc. and Request for Expedited Action.

Filed Date: 8/18/15.

Accession Number: 20150818–5198.

Comments Due: 5 p.m. ET 9/1/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 19, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–21109 Filed 8–25–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. OR15–35–000]

Enterprise TE Products Pipeline Company LLC; Notice of Petition for Declaratory Order

Take notice that on August 17, 2015, pursuant to Rule 207(a)(2) of the Commission's Rules of Practice and Procedure, 18 CFR 385.207(a)(2)(2015), Enterprise TE Products Pipeline Company LLC (Enterprise TE) filed a petition requesting a declaratory order approving the proposed rate structure and terms of service associated with an expansion of Enterprise TE's Aegis pipeline system (Aegis Expansion Project), all as more fully explained in the petition.

Any person desiring to intervene or to protest in this proceeding must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St. NE., Washington, DC 20426.

The filings in the above proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC

Online service, please email *FERCOnlineSupport@ferc.gov* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern time on September 17, 2015.

Dated: August 20, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–21113 Filed 8–25–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC15–192–000.

Applicants: Alabama Electric Marketing, LLC, California Electric Marketing, LLC, New Mexico Electric Marketing, LLC, Texas Electric Marketing, LLC.

Description: Application of Alabama Electric Marketing, LLC, et al. for Approval under Section 203 of the Federal Power Act and Request for Expedited Action.

Filed Date: 8/20/15.

Accession Number: 20150820–5082.

Comments Due: 5 p.m. ET 9/10/15.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER15–861–003.

Applicants: California Independent System Operator Corporation.

Description: Compliance filing: 2019–08–19 EIM Available Balancing Capacity Compliance to be effective 11/1/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5190.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2057–000.

Applicants: Tanner Street Generation, LLC.

Description: Supplement to June 29, 2015 Tanner Street Generation, LLC tariff filing.

Filed Date: 8/20/15.

Accession Number: 20150820–5140.

Comments Due: 5 p.m. ET 8/31/15.

Docket Numbers: ER15–2132–001.

Applicants: Wisconsin Electric Power Company.

Description: Tariff Amendment: Wisconsin Electric Formula Rate Tariff Amended August 2015 to be effective 9/6/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5180.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2133–001.

Applicants: Wisconsin Electric Power Company.

Description: Tariff Amendment: Wisconsin Electric Rate Schedule 90 Amended August 2015 to be effective 9/6/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5184.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2494–000.

Applicants: Southwest Power Pool, Inc.

Description: Section 205(d) Rate Filing: 1883R4 Westar Energy, Inc. NITSA and NOA to be effective 8/1/2015.

Filed Date: 8/20/15.

Accession Number: 20150820–5048.

Comments Due: 5 p.m. ET 9/10/15.

Docket Numbers: ER15–2495–000.

Applicants: Calpine New Jersey Generation, LLC.

Description: Section 205(d) Rate Filing: Revised FERC Electric Tariff, Volume No. 3 to be effective 5/1/2015.

Filed Date: 8/20/15.

Accession Number: 20150820–5093.

Comments Due: 5 p.m. ET 9/10/15.

Docket Numbers: ER15–2496–000.

Applicants: Southwest Power Pool, Inc.

Description: Section 205(d) Rate Filing: 1894R4 Westar Energy, Inc. NITSA and NOA to be effective 8/1/2015.

Filed Date: 8/20/15.

Accession Number: 20150820–5159.

Comments Due: 5 p.m. ET 9/10/15.

Docket Numbers: ER15–2497–000.

Applicants: Southwest Power Pool, Inc.

Description: Section 205(d) Rate Filing: 2066R4 Westar Energy, Inc. NITSA and NOA to be effective 8/1/2015.

Filed Date: 8/20/15.

Accession Number: 20150820–5162.

Comments Due: 5 p.m. ET 9/10/15.

Docket Numbers: ER15–2498–000.

Applicants: Southwest Power Pool, Inc.

Description: Section 205(d) Rate Filing: 2491R3 Westar Energy, Inc. NITSA and NOA to be effective 8/1/2015.

Filed Date: 8/20/15.

Accession Number: 20150820–5177.

Comments Due: 5 p.m. ET 9/10/15.

Take notice that the Commission received the following public utility holding company filings:

Docket Numbers: PH15–18–000.

Applicants: arGo Partners GP LLC.

Description: arGo Partners GP LLC submits FERC 65–B Waiver Notification.

Filed Date: 8/20/15.

Accession Number: 20150820–5157.

Comments Due: 5 p.m. ET 9/10/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 20, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–21111 Filed 8–25–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER14–108–000.

Applicants: Entergy Arkansas, Inc., Entergy Gulf States Louisiana, L.L.C., Entergy Mississippi, Inc., Entergy New Orleans, Inc., Entergy Texas, Inc., Entergy Louisiana, LLC.

Description: Midcontinent Independent System Operator, Inc. submits tariff filing per 35.19a(b): Refund Report [Corrected] to be effective N/A.

Filed Date: 8/19/15.

Accession Number: 20150819–5064.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2484–000.

Applicants: PJM Interconnection, L.L.C.

Description: Section 205(d) Rate Filing: Service Agreement No. 4218; Queue No. AA1–065 (ICSA) to be effective 7/20/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5092.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2485–000.

Applicants: Florida Power & Light Company.

Description: Section 205(d) Rate Filing: FPL on Behalf of Cedar Bay Generating Company, Limited Partnership PPA (Tolling) to be effective 12/31/9998.

Filed Date: 8/19/15.

Accession Number: 20150819–5105.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2486–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Section 205(d) Rate Filing: 2015–08–19_SA 743 ATC–WPSC 2nd Rev. G–TIA to be effective 8/20/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5113.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2487–000.

Applicants: Alabama Power Company.

Description: Section 205(d) Rate Filing: Duke Energy Renewables Solar SGIA Filing to be effective 8/5/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5115.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2488–000.

Applicants: MDU Resources Group, Inc.

Description: Section 205(d) Rate Filing: Certificate of Concurrence—TCEA to be effective 10/17/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5168.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2489–000.

Applicants: MDU Resources Group, Inc.

Description: Section 205(d) Rate Filing: Certificate of Concurrence—CMA to be effective 8/12/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5169.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2490–000.

Applicants: Puget Sound Energy, Inc.

Description: Initial rate filing: Port of Seattle NITSA Amendment No 2 SA No 484 to be effective 2/1/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5165.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2491–000.

Applicants: MDU Resources Group, Inc.

Description: Section 205(d) Rate Filing: Certificate of Concurrence—EF TCEA to be effective 10/17/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5167.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2492–000.

Applicants: Otter Tail Power Company.

Description: Section 205(d) Rate Filing: Certificate of Concurrence to be effective 10/17/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5172.

Comments Due: 5 p.m. ET 9/9/15.

Docket Numbers: ER15–2493–000.

Applicants: PJM Interconnection, L.L.C.

Description: Section 205(d) Rate Filing: Original Service Agreement No. 4244; Queue Position #Z1–081 to be effective 7/20/2015.

Filed Date: 8/19/15.

Accession Number: 20150819–5174.

Comments Due: 5 p.m. ET 9/9/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/*

docs-filing/efiling/filing-req.pdf. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 19, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–21110 Filed 8–25–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Record of Decision for Upper Great Plains Wind Energy Final Programmatic Environmental Impact Statement (DOE/EIS–0408)

AGENCY: Western Area Power Administration, DOE.

ACTION: Record of Decision.

SUMMARY: The Western Area Power Administration (Western) and the U.S. Fish and Wildlife Service (Service), as joint lead agencies, issued the Upper Great Plains Wind Energy Final Programmatic Environmental Impact Statement (Final PEIS) (DOE/EIS–0408) on May 1, 2015. Western has decided to implement Alternative 1 as described in the Final PEIS and summarized in this Record of Decision (ROD). Alternative 1 was identified as both the agency preferred alternative and the environmentally preferred alternative.

FOR FURTHER INFORMATION CONTACT: For information on Western's proposed programmatic environmental evaluation procedures for wind energy project interconnections and general information about interconnections with Western's transmission system, contact Matt Marsh, Regional Environmental Manager, Upper Great Plains Customer Service Region, Western Area Power Administration, P.O. Box 35800, Billings, MT 59107–5800, telephone (406) 255–2810, email *mmarsh@wapa.gov.* The Final PEIS, this ROD, and other project documents are available for review on Western's Web site at *https://www.wapa.gov/regions/UGP/Environment/Pages/ugp-nepa.aspx* and the project Web site at *http://plainswindeis.anl.gov.*

For general information on the U.S. Department of Energy (DOE) National Environmental Policy Act (NEPA) process, please contact Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC–54), U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, telephone (202) 586–4600 or (800) 472–2756, email *askNEPA@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: Western and the Service, as joint lead agencies, prepared the Upper Great Plains Wind Energy Draft and Final PEIS (DOE/EIS–0408), the Final PEIS being issued May 1, 2015 (80 FR 24915), in response to an increase in wind energy development and interconnection requests. Western and the Service have interests in streamlining their procedures for conducting environmental reviews of wind energy applications by implementing standardized evaluation procedures and identifying measures to address potential environmental impacts associated with wind energy projects in the Upper Great Plains Region (UGP Region), which encompasses all or parts of the states of Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota. Since formalizing the process and procedures for environmental reviews would be Federal actions, Western and the Service prepared the PEIS in accordance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4347), as amended, and the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR parts 1500–1508). The Bureau of Reclamation, Bureau of Indian Affairs, and the Rural Utilities Service have participated in the development of the PEIS as cooperating agencies.

Western and the Service have cooperatively prepared the PEIS to: (1) Assess the potential environmental impacts associated with wind energy projects within the UGP Region that may interconnect to Western's transmission system, or that may propose placement of project elements on grassland or wetland easements managed by the Service; and (2) evaluate how environmental impacts would differ under alternative sets of environmental evaluation procedures, best management practices, avoidance strategies, and mitigation measures that the agencies would request project developers to implement, as appropriate, for specific wind energy projects.

The objective of the PEIS is to proactively strengthen and streamline the environmental review process by having already analyzed and addressed general environmental concerns while specifically providing for Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*) compliance for wind development projects that incorporate design elements to reduce impacts. The PEIS analyzes, to the extent practicable, the impacts resulting from development of wind energy projects and the effectiveness of best management practices, avoidance of sensitive areas, and mitigation measures in reducing potential impacts. Impacts and mitigation have been analyzed for each environmental resource, and all components of wind energy projects have been addressed, including turbines, transformers, collector lines, overhead lines, access roads, substation installations, and operational and maintenance activities. Many of the potential impacts resulting from constructing and operating these types of wind energy infrastructure are well known from existing wind energy generation projects. The environmental procedures and mitigation strategies developed have been structured to be consistent with Western's Open Access Transmission Service Tariff and Southwest Power Pool, Inc.'s (SPP) Open Access Transmission Tariff, both of which include environmental review provisions.[1]

In addition to the PEIS, Western and the Service engaged in informal consultation under Section 7 of the ESA, 16 U.S.C. 1536, in support of the PEIS process. A programmatic biological assessment (Programmatic BA) was prepared for listed and candidate species occurring in the UGP Region. Development of the Programmatic BA was closely coordinated with the Service's North Dakota Ecological Services Field Office. That office issued a letter of concurrence with the Programmatic BA on July 7, 2015, as a result of this consultation.

The agencies also investigated a programmatic approach to Section 106 consultation under the National Historic Preservation Act (NHPA), 54 U.S.C. 306108. Since Section 106 consultation is highly site-specific, it was determined that effective consultation could only be accomplished once an individual project location was defined. However, general avoidance and protection measures for cultural resources and historic properties that would be implemented were identified and included in the analysis.

Purpose and Need

Western's purpose and need for Federal action was presented in the Draft and Final PEIS: Western needs to streamline the environmental review process for wind energy project interconnection requests to help

[1] Western's UGP Region has signed a membership agreement with SPP with a target date of transferring the functional control of its facilities in the eastern interconnection to SPP on October 1, 2015. Thereafter interconnection requests would be pursuant to the SPP tariff. Revisions to the SPP tariff incorporate Western's requirement that it will still perform NEPA reviews on interconnections associated with its facilities.

expedite wind energy resource development in the UGP Region while maintaining environmental protections.

Description of Alternatives

Four alternatives, including the No Action Alternative, were analyzed in the PEIS and are briefly described below. More detailed information on the alternatives may be found in the Final PEIS, which can be accessed from the Web site provided above.

No Action Alternative: Under the No Action Alternative, Western would continue to consider wind energy project interconnection requests under the procedures currently used to evaluate and address the environmental impacts associated with wind energy projects. Requests would be processed, reviewed, and evaluated on a case-by-case basis, including separate NEPA, ESA Section 7, and NHPA Section 106 reviews performed for each specific project.

Alternative 1—Preferred Alternative: Under Alternative 1, Western would adopt a standardized process for collecting information and evaluating and reviewing environmental impacts of wind energy interconnection requests. Best management practices and mitigation measures developed in the PEIS programmatic process would be employed to minimize the potential environmental impacts of wind energy interconnection projects. Project-specific NEPA analyses, either environmental assessments (EAs) or streamlined EISs, would tier off (eliminate repetitive discussions of the same issues) the analyses in the Final PEIS as long as the appropriate identified conservation measures were implemented as part of proposed projects. In accordance with 40 CFR 1502.20, these project-specific NEPA documents would summarize the information and issues covered in the Final PEIS or incorporate relevant discussions by reference. This approach would allow for more efficient NEPA documents that would properly focus on local or site-specific issues. The decision to pursue a tiered EA or EIS would be made similar to any other proposal. If the potential for new significant impact appeared low, then an EA process could be initiated, with the understanding that the identification of any potentially new significant impact would require transition to an EIS process. It is anticipated that the tiered NEPA document in most instances will be an EA. If there appeared to be a potential for new significant environmental impact, based on the project description and site location, then a tiered EIS process would be initiated. Western may minimize the risk of project and schedule impacts from such a transition by conducting public scoping—informing the public about a federal action and soliciting public comments—when using a tiered EA process.

Project-specific ESA Section 7 consultations would utilize the Programmatic BA so long as the applicable best management practices, minimization measures, mitigation measures, and monitoring requirements established in the Programmatic BA were implemented. Project proponents who could not agree to the requirements in the Programmatic BA would be required to conduct a separate ESA Section 7 consultation with the Service. NHPA Section 106 and related tribal consultation would continue unchanged from the present practices; since cultural resources issues are very site-specific, it was not possible to address them programmatically beyond including general avoidance and protection measures and committing to the established processes and procedures.

The primary objective of Alternative 1 was to collect relevant natural resources information; evaluate the typical impacts of wind energy projects and associated facilities on those resources; identify effective best management practices, minimization measures, and mitigation measures that could reduce impacts; provide information about areas that would be more sensitive to development impacts and encourage avoidance of siting projects in these areas; and have all this material available to support site-specific tiered environmental reviews. The parallel Programmatic BA would similarly expedite the ESA Section 7 consultation by having previously established minimization measures, mitigation measures, and monitoring requirements, by species, that if committed to and implemented would constitute compliance with ESA Section 7 without a separate consultation.

Alternative 2: Alternative 2 would be exactly the same as Alternative 1 for Western. However, under Alternative 2 the Service would not allow easement exchanges to accommodate the development of wind energy facilities. By comparison, Alternative 1 would provide a standardized process for the Service to allow easement exchanges, and facilitate wind energy development while retaining or enhancing the habitat and wildlife values the easement program was designed to provide. The differences in the Service's approach to siting on easements do not affect Western's decision, and Western's actions would be the same under both alternatives.

Alternative 3: Under Alternative 3, separate project-specific NEPA evaluations would be required for each interconnection request. Western would not request additional best management practices or mitigation measures of wind energy developers beyond those mandated under applicable Federal, State, and local regulations. More effort would be required to produce site-specific NEPA documents because of the reduced scope of the PEIS, and time frames for the site-specific documents would be extended accordingly. In essence Alternative 3 is a minimalist programmatic approach that would incorporate all mandated environmental review requirements, but would not extend beyond them. Any mandated or required provisions included in either Alternative 1 or 2 are also incorporated in Alternative 3.

Since the proposed action is programmatic in nature and did not include on-the-ground activities, no direct impacts to the human environment would occur under any of the PEIS alternatives. However, the PEIS analysis identified generic wind energy development impacts and evaluated a large number of best management practices and avoidance, minimization, and mitigation measures. Alternative 1 is the environmentally preferred alternative because it develops comprehensive procedures and mitigation measures, results in consistency of the application and authorization process, and supports wind energy development by facilitating the understanding of the requirements for approval by potential wind energy project developers. The development of renewable energy resources is a priority national policy, and Alternative 1 supports that objective. One of the objectives of the proposed action was to avoid or minimize environmental harm from future wind energy projects, and that objective is best met by Alternative 1.

Decision

Western has determined that Alternative 1, the agency preferred alternative, best meets the agency's needs. Alternative 1 is also the environmentally preferred alternative, and would afford the greatest protection for environmental resources that would be impacted by future wind energy projects. Therefore, it is Western's decision to implement Alternative 1, and use the program defined by that alternative for all applicable future wind

energy project interconnection requests in the UGP Region.[2]

This decision is based on the information contained in the Upper Great Plains Wind Energy Final PEIS. This ROD was prepared pursuant to the requirements of the CEQ Regulations for Implementing NEPA § 1505.2 and DOE's NEPA implementing procedures, 10 CFR 1021 *et seq.*

Dated: August 17, 2015.

Mark A. Gabriel,

Administrator.

[FR Doc. 2015–21131 Filed 8–25–15; 8:45 am]

BILLING CODE 6450–01–P

[2] On November 16, 2011, DOE's Acting General Counsel restated the delegation to Western's Administrator of all the authorities of the General Counsel with respect to environmental impact statements.

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9933–10–ORD]

Office of Research and Development; Ambient Air Monitoring Reference and Equivalent Methods: Designation of a Two New Equivalent Methods

AGENCY: Environmental Protection Agency, (EPA).

ACTION: Notice of designation of two new equivalent methods for monitoring ambient air quality.

SUMMARY: Notice is hereby given that the Environmental Protection Agency (EPA) has designated, in accordance with 40 CFR part 53, two new equivalent methods: one for measuring concentrations of $PM_{2.5}$ and one for measuring concentrations of ozone (O_3) in the ambient air.

FOR FURTHER INFORMATION CONTACT: Robert Vanderpool, Human Exposure and Atmospheric Sciences Division (MD–D205–03), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, North Carolina 27711. Email: *Vanderpool.Robert@epa.gov.*

SUPPLEMENTARY INFORMATION: In accordance with regulations at 40 CFR part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQSs), as set forth in 40 CFR part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference methods or equivalent methods (as applicable), thereby permitting their use under 40 CFR part 58 by States and other agencies for determining compliance with the NAAQSs.

The EPA hereby announces the designation of two new equivalent methods for measuring pollutant concentrations in the ambient air: One for $PM_{2.5}$ and one for ozone. These designations are made under the provisions of 40 CFR part 53, as amended on August 31, 2011 (76 FR 54326–54341).

The new $PM_{2.5}$ Class III equivalent method is nearly identical to a corresponding Met One sampler (EQPM–1013–209) that had been previously designated by EPA as an equivalent method sampler for $PM_{2.5}$. The significant difference is that the newly designated $PM_{2.5}$ equivalent method sampler is configured to use an URG–2000–30EGN $PM_{2.5}$ as the principle size separator (fractionator) for the sampler rather than the WINS impactor or the BGI VSCC™ used in the corresponding $PM_{2.5}$ equivalent method sampler. The newly designated Class III equivalent method is identified as follows:

EQPM–0715–266, Met One Instruments, Inc. BAM–1020 Beta Attenuation Mass Monitor—$PM_{2.5}$ FEM Configuration,'' configured for 24 1-hour average measurements of $PM_{2.5}$ by beta attenuation, using a glass fiber filter tape roll (460130 or 460180) and a sample flow rate of 16.67 liters/min and with the standard (BX–802) EPA PM_{10} inlet (meeting 40 CFR 50 Appendix L specifications) and with an URG–2000–30EGN $PM_{2.5}$ (BX–809) cyclonic separator, BX–596 combo T/RH sensor, BX–827(110V) or BX–830(230V). Instrument must be operated in accordance with the BAM 1020 Particulate Monitor operation manual, revision k or later. This $PM_{2.5}$ equivalent method designation only applies to the BAM–1020 configured with the URG–2000–30EGN cyclone.

In the particular case of the new Met One Class III $PM_{2.5}$ equivalent method, a corresponding Met One $PM_{2.5}$ equivalent method sampler (RFPS–1013–209) may be converted to the equivalent method configuration by replacement of the WINS impactor or the VSCC™ cyclone with the URG–2000–30EGN cyclone specified in the equivalent method description. The URG–2000–30EGN cyclone should be purchased from the sampler manufacturer, who will also furnish installation, conversion, operation, and maintenance instructions for the URG–2000–30EGN cyclone, as well as a new equivalent method identification label to be placed on the sampler. If the conversion is to be permanent, the original designation equivalent method label should be removed from the sampler and replaced with the new designated equivalent method label.

The application for equivalent method determination for the $PM_{2.5}$ method was received by the Office of Research and Development on June 18, 2015. This monitor is commercially available from the applicant, Met One Instruments, Inc., 1600 Washington Blvd., Grants Pass, OR 97526.

The new Ozone equivalent method is an automated monitoring method (analyzer) utilizing a measurement principle based on based on non-dispersive ultraviolet absorption photometry. The newly designated equivalent method is identified as follows:

EQOA–0815–227, ''2B Technologies Model Personal Ozone Monitor (POM),'' operated in a range of 0–0.5 ppm in an environment of 20–30 °C, temperature and pressure compensation, using a 10 second averaging time, with a 12V DC source supplied by a 100–240V AC power adapter, operated according to the POM Operation Manual and with or without the following: Cigarette lighter adapter or a 12V DC battery or a 7–24 V battery for portable operation, USB data port with computer cable.

The application for equivalent method determination for the ozone method was received by the Office of Research and Development on September 18, 2013. This analyzer is commercially available from the applicant, 2B Technology, Inc., 2100 Central Ave., Suite 105, Boulder, CO 80303.

Test monitors representative of these methods have been tested in accordance with the applicable test procedures specified in 40 CFR part 53, as amended on August 31, 2011. After reviewing the results of those tests and other information submitted in the application, EPA has determined, in accordance with part 53, that these methods should be designated as equivalent methods.

As designated equivalent methods, these methods are acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, the method must be used in strict accordance with the operation or instruction manual associated with the method and subject to any specifications and limitations (*e.g.,* configuration or operational settings) specified in the applicable designated method descriptions (see the identification of the methods above).

Use of the methods also should be in general accordance with the guidance and recommendations of applicable sections of the ''Quality Assurance Handbook for Air Pollution Measurement Systems, Volume I,'' EPA/600/R–94/038a and ''Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Quality Monitoring Program'' EPA–454/B–08–003, December, 2008. Provisions concerning modification of such methods by users are specified under Section 2.8 (Modifications of Methods by Users) of Appendix C to 40 CFR part 58.

Consistent or repeated noncompliance should be reported to: Director, Human Exposure and Atmospheric Sciences Division (MD–E205–01), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this new equivalent method is intended to assist the States in establishing and operating their air quality surveillance systems under 40 CFR part 58. Questions concerning the commercial availability or technical aspects of the method should be directed to the applicant.

Dated: August 18, 2015.

Jennifer Orme-Zavaleta,

Director, National Exposure Research Laboratory.

[FR Doc. 2015–21203 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[9933–12–Region 1]

Proposed CERCLA Administrative Cost Recovery Settlement; Town Of Bennington, Vermont, Former Kocher Drive Dump Site, Bennington, Vermont

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement; request for public comments.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response Compensation, and Liability Act, as amended (''CERCLA''), 42 U.S.C. Section 9622(i), notice is hereby given of a proposed administrative settlement for recovery of response costs under CERCLA Section 122(h) and 104(e), concerning the Former Kocher Drive Dump Superfund Site in Bennington, Vermont with the following settling party: Town of Bennington, Vermont. The settlement requires the Town of Bennington, Vermont to pay $175,000 to the Hazardous Substance Superfund, consisting of principal and interest, on the following payment schedule: (1) $50,000 within 10 days of the Effective Date of the settlement; (2) $75,000 on or before December 31, 2015; and (3) the balance of $50,000 on or before December 31, 2016. The settlement also requires the Town to comply with any request or order from the Vermont Agency of Natural Resources relating to the Site.

For 30 days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The United States will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 5 Post Office Square, Boston, MA 02109–3912.

DATES: Comments must be submitted by September 25, 2015.

ADDRESSES: Comments should be addressed to David Peterson, Senior Enforcement Counsel, U.S. Environmental Protection Agency, 5 Post Office Square, Suite 100 (OES04–1), Boston, MA 02109–3912 (Telephone No. 617–918–1891) and should refer to: In re: Former Kocher Drive Dump Superfund Site, U.S. EPA Docket No. 01–2014–0007.

FOR FURTHER INFORMATION CONTACT: A copy of the proposed settlement may be obtained from Cindy Catri, Senior Enforcement Counsel, U.S. Environmental Protection Agency, 5 Post Office Square, Suite 100 (OES04–2), Boston, MA 02109–3912; (617) 918–1888; *Catri.Cynthia@epa.gov.*

SUPPLEMENTARY INFORMATION: This proposed administrative settlement for recovery of response costs under CERCLA Section 122(h)(1) and 104(e)(6), concerning the Former Kocher Drive Dump Superfund Site in Bennington, Vermont, requires the settling party, the Town of Bennington, Vermont to pay $175,000 to the Hazardous Substance Superfund, consisting of principal and interest, on the following payment schedule: (1) $50,000 within 10 days of the Effective Date of the settlement; (2) $75,000 on or before December 31, 2015; and (3) the balance of $50,000 on or before December 31, 2016. The settlement also requires the Town to comply with any request or order from the Vermont Agency of Natural Resources relating to the Site.

The settlement includes a covenant not to sue pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607, relating to the Site, and protection from contribution actions or claims as provided by Sections 113(f)(2) and 122(h)(4) of CERCLA, 42 U.S.C. 9613(f)(2) and 9622(h)(4). The settlement has been approved by the Environmental and Natural Resources Division of the United States Department of Justice.

Dated: August 13, 2015.

Nancy Barmakian,

Acting Director, Office of Site Remediation and Restoration.

[FR Doc. 2015–21211 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9933–08–OECA]

National Environmental Justice Advisory Council; Notification of Public Meeting and Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92–463, the U.S. Environmental Protection Agency (EPA) hereby provides notice that the National Environmental Justice Advisory Council (NEJAC) will meet on the dates and times described below. All meetings are open to the public. Members of the public are encouraged to provide comments relevant to the specific issues being considered by the NEJAC. For additional information about registering for public comment, please see **SUPPLEMENTARY INFORMATION**. Due to limited space, seating at the NEJAC meeting will be on a first-come, first-served basis.

DATES: The NEJAC meeting will convene Thursday, September 10, 2015, from 9:00 a.m. until 5:00 p.m. Eastern Standard Time.

One public comment period relevant to the specific issues being considered by the NEJAC (see **SUPPLEMENTARY INFORMATION**) is scheduled for Wednesday, September 9, 2015, starting at 4:00 p.m. Eastern Standard Time. Members of the public who wish to participate during the public comment period are highly encouraged to pre-register by Midnight, Eastern Standard Time, on Monday, August 31, 2015.

ADDRESSES: The NEJAC meeting will be held at the EPA Potomac Yard offices

located at 2777 S. Crystal Drive, Arlington, VA 16202.

FOR FURTHER INFORMATION CONTACT: Questions or correspondence concerning the meeting should be directed to Jasmin Muriel, U.S. Environmental Protection Agency, by mail at 1200 Pennsylvania Avenue NW., (MC1601A), Washington, DC 20460; by telephone at 202–564–4287; via email at *Muriel.Jasmin@epa.gov;* or by fax at 202–564–1624. Additional information about the NEJAC is available at: *www.epa.gov/environmentaljustice/nejac.*

Registration is required for all participants. Pre-registration by Midnight, Eastern Standard Time, on Monday, August 31, 2015, for all attendees is highly recommended. Because this NEJAC meeting will be held in government space, we strongly encourage you to register early. Space limitations may not allow us to accommodate everyone who is interested in attending. Priority admission will be given to pre-registered participants. To register, visit *http://nejac-sept-2015-arlington.eventbrite.com.* Please state whether you would like to be put on the list to provide oral public comment. Please specify whether you are submitting written comments before the Midnight, Monday, August 31, 2015, deadline. Non-English speaking attendees wishing to arrange for a foreign language interpreter may make appropriate arrangements in writing using the above telephone number.

SUPPLEMENTARY INFORMATION: The Charter of the NEJAC states that the advisory committee shall provide independent advice to the EPA Administrator about areas that may include, among other things, ''advice about broad, cross-cutting issues related to environmental justice, including environment-related strategic, scientific, technological, regulatory, and economic issues related to environmental justice.''

The meeting shall be used to discuss and receive comments about the nexus between sustainability and environmental justice. Specifically, the NEJAC will discuss these primary areas: (1) Dialogue about Civil Rights, (2) NEJAC Charge on improving environmental outcomes through monitoring, (3) Update on the Clean Power Plan, (4) NEJAC Charge on Youth Perspectives on Climate Change.

A. *Public Comment:* Individuals or groups making oral presentations during the public comment periods will be limited to a total time of seven minutes. To accommodate the large number of people who want to address the NEJAC, only one representative of an organization or group will be allowed to speak. If time permits, multiple representatives from the same organization can provide comment at the end of the session. In addition, those who did not sign up in advance to give public comment can sign up on site. The suggested format for written public comments is as follows: Name of Speaker; Name of Organization/Community; City and State; Email address; and a brief description of the concern and what you want the NEJAC to advise EPA to do. Written comments received by Midnight, Eastern Standard Time, on Monday, August 31, 2015, will be included in the materials distributed to the members of the NEJAC. Written comments received after that date and time will be provided to the NEJAC as time allows. All information should be sent to the mailing address, email address, or fax number listed in the **FOR FURTHER INFORMATION CONTACT** section above.

B. *Information about Services for Individuals with Disabilities:* For information about access or services for individuals with disabilities, please contact Jasmin Muriel, at (202) 564–4287 or via email at *Muriel.Jasmin@EPA.gov.* To request special accommodations for a disability, please contact Ms. Muriel at least four working days prior to the meeting, to give EPA sufficient time to process your request. All requests should be sent to the address, email, or phone/fax number listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Dated: August 18, 2015.

Matthew Tejada,

Designated Federal Officer, National Environmental Justice Advisory Council.

[FR Doc. 2015–21212 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2009–0090; FRL 9932–01–OEI]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Unregulated Contaminant Monitoring in Public Water Systems (UCMR 3) (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA) has submitted an information collection request (ICR), ''Unregulated Contaminant Monitoring in Public Water Systems (UCMR 3)'' (EPA ICR No. 2192.06, OMB Control No. 2040–0270) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through August 31, 2015. Public comments were previously requested via the **Federal Register** (80 FR 17042) on March 31, 2015, during a 60-day comment period. No public comments were received relating to the UCMR 3 ICR Renewal. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given in this notice, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before September 25, 2015.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OW–2009–0090, to (1) EPA online using *www.regulations.gov* (our preferred method), by email to *OW-Docket@epa.gov*, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Brenda D. Parris, Standards and Risk Management Division (SRMD), Office of Ground Water and Drinking Water (OGWDW) (MS 140), Environmental Protection Agency, 26 West Martin Luther King Drive, Cincinnati, OH 45268; telephone number: (513) 569–7961; or email address: *parris.brenda@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington,

DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: The Safe Drinking Water Act (SDWA), as amended in 1996, requires EPA to establish criteria for a program to monitor not more than 30 unregulated contaminants every five years. Information collected under the program supports Agency decision making regarding whether or not to regulate particular contaminants in drinking water. UCMR 3 addresses the third group of 30 contaminants and was published in the **Federal Register** on May 2, 2012.

UCMR 3 ''Assessment Monitoring'' began in January 2013 and continues through December 2015 for all large systems (those systems serving 10,001 to 100,000 people) and very large systems (those systems serving more than 100,000 people), and for a nationally representative sample of 800 small public water systems (PWSs) (those serving 10,000 or fewer people). The ''Screening Survey'' began in January 2013 and continues through December 2015 for all very large systems, 320 randomly-selected large systems, and 480 randomly selected small systems. ''Pre-Screen Testing'' began in January 2013 and continues through December 2015 for a sample of 800 very small (systems serving 1,000 or fewer people) undisinfected ground water systems.

Form Numbers: None.

Respondents/affected entities: Public Water Systems (PWSs) and States, territories and tribes with primacy to administer the regulatory program for PWSs under SDWA.

Respondent's obligation to respond: Mandatory. The information collection is carried out per Section 1445(a) of SDWA.

Estimated number of respondents: There are approximately 6,351 respondents to UCMR 3, including approximately 2,098 PWSs that will monitor during the ICR years of 2015–2017, and 56 states and primacy agents.

Frequency of response: On occasion.

Total estimated burden: 17,902 hours per year. Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $7,449,927 per year, including $6,546,967 in non-labor costs.

Changes in the Estimates: There is a decrease of 22,765 hours in the total estimated respondent burden compared with the existing ICR. This decrease is an adjustment to estimates due to the reduced number of PWSs that have to monitor during the ICR period of 2015–2017.

Courtney Kerwin,

Acting Director, Collection Strategies Division.

[FR Doc. 2015–21136 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2011–0442; FRL 9932–00–OEI]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Microbial Rules (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA) has submitted an information collection request (ICR) for the Microbial Rules (EPA ICR No. 1895.09, OMB Control No. 2040–0205) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through August 31, 2015. Public comments were previously requested via the **Federal Register** (80 FR 17040) on March 31, 2015, during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is provided in this renewal notice, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before *September 25, 2015.*

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OW–2011–0442, to (1) EPA online using *www.regulations.gov* (our preferred method), by email to *OW-Docket@epa.gov* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Kevin Roland, Drinking Water Protection Division, Office of Ground Water and Drinking Water, (4606M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 202–564–4588: fax number: 202–564–3755; email address: *roland.kevin@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: The Microbial Rules Renewal ICR examines public water system, air carrier and primacy agency burden and costs for recordkeeping and reporting requirements in support of the microbial drinking water regulations. These recordkeeping and reporting requirements are mandatory for compliance with 40 CFR parts 141 and 142. The following microbial regulations are included: the Surface Water Treatment Rule (SWTR), the Total Coliform Rule (TCR), the Revised Total Coliform Rule (RTCR), the Interim Enhanced Surface Water Treatment Rule (IESWTR), the Filter Backwash Recycling Rule (FBRR), the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR), the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR), the Ground Water Rule (GWR) and the Aircraft Drinking Water Rule (ADWR). Future microbial-related rulemakings will be added to this consolidated ICR after the regulations are promulgated and the initial, rule-specific, ICRs are due to expire.

Form Numbers: None.

Respondents/affected entities: Entities potentially affected by this action are public water systems, air carriers and primacy agencies.

Respondent's obligation to respond: Mandatory for compliance with 40 CFR parts 141 and 142.

Estimated number of respondents: 149,864 (total).

Frequency of response: Varies by requirement (*i.e.,* on occasion, monthly, quarterly, semi-annually and annually).

Total estimated burden: 14,683,598 hours (per year). Burden is defined at 5 CFR 1320.03(b).

T*Total estimated cost:* $652,507,000 (per year), includes $21,982,000 annualized capital and $88,035,000 operation & maintenance costs.

Changes in the Estimates: There is an increase of 913,658 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This increase is a result of inclusion of the RTCR burden (839,526 hours) and expanded implementation requirements for the GWR and LT2ESWTR; updating relevant baseline information for each rule with the most current and accurate information available (*e.g.,* Public Water System inventories); and, updating burden to incorporate the results of consultation with stakeholders. Where appropriate and available, estimated violation, waiver and other associated rates have also been updated to reflect current information on rule compliance.

Courtney Kerwin,

Acting Director, Collection Strategies Division.

[FR Doc. 2015–21135 Filed 8–25–15; 8:45 am]

BILLING CODE 6560–50–P

FARM CREDIT ADMINISTRATION

[NV–15–10 (8–18–2015)]

Equal Employment Opportunity and Diversity

AGENCY: Farm Credit Administration.

ACTION: Policy statement.

SUMMARY: The Farm Credit Administration (FCA) Board recently updated its Policy Statement on Equal Employment Opportunity and Diversity.

DATES: *Effective date:* August 18, 2015.

FOR FURTHER INFORMATION CONTACT: Thais Burlew, Director of Equal Employment Opportunity and Inclusion, Farm Credit Administration, 1501 Farm Credit Drive, McLean Virginia 22102–5090, (703) 883–4290, TTY (703) 883–4352.

SUPPLEMENTARY INFORMATION: While not required by law, the Equal Employment Opportunity Commission (EEOC) has determined that reissuance of an agency's EEO policy statement each fiscal year is a symbol of the agency leadership's commitment to EEO and Diversity principles. The FCA conducted its annual review of Policy Statement FCA–PS–62 on Equal Employment Opportunity (EEO) and Diversity and made several minor changes. First, due to the change in FCA leadership, the term ''Chair'' has been replaced with ''Chairman.'' Second, a parenthetical has been added to one of the bases of discrimination to read, ''sex (including sexual orientation),'' to clarify EEOC's jurisdiction after the recent issuance of *Baldwin* v. *Dep't of Transportation,* EEOC Appeal No. 1020133080 (July 16, 2015). Finally, several stylistic, nonsubstantive changes were made.

The text of the updated Policy Statement is set forth below in its entirety. All FCA Board policy statements may be viewed on FCA's Web site. From *www.fca.gov,* select ''Laws & Regulations,'' then select ''FCA Handbook,'' then select ''FCA Board Policy Statements.''

EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY

NV–15–10

FCA–PS–62

EFFECTIVE DATE: August 18, 2015.

EFFECT ON PREVIOUS ACTION: Replaces FCA–PS–62 [NV 14–15] dated August 26, 2014 (79 FR 50908, 8/26/14).

SOURCE OF AUTHORITY: Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e *et seq.*); Age Discrimination in Employment Act (29 U.S.C. 621 *et seq.*); Rehabilitation Act of 1973, as amended (29 U.S.C. 721 *et seq.*); Equal Pay Act of 1974 (29 U.S.C. 206(d)); Civil Service Reform Act of 1978 (5 U.S.C. 3112); Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) (5 U.S.C. 2301); Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff *et seq.*); section 5.9 of the Farm Credit Act of 1971, as amended (12 U.S.C. 2243); Executive Order 11478 (Equal Employment Opportunity in the Federal Government), as amended by Executive Orders 13087 and 13152 to include prohibitions on discrimination based on sexual orientation and status as a parent; Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency); 29 CFR part 1614; Equal Employment Opportunity Commission Management Directives.

THE FARM CREDIT ADMINISTRATION BOARD HEREBY ADOPTS THE FOLLOWING POLICY STATEMENT:

PURPOSE

The Farm Credit Administration (FCA or Agency) Board reaffirms its commitment to Equal Employment Opportunity (EEO) and Diversity (EEOD) and its belief that all FCA employees should be treated with dignity and respect. The Board also provides guidance to Agency management and staff for deciding and taking action in these critical areas.

IMPORTANCE

Unquestionably, the employees who comprise the FCA are its most important resource. The Board fully recognizes that the Agency draws its strength from the dedication, experience, and diversity of its employees. The Board is firmly committed to taking whatever steps are needed to protect the rights of its staff and to carrying out programs that foster the development of each employee's potential. We believe an investment in efforts that strongly promote EEOD will prevent the conflict and the high costs of correction for taking no, or inadequate, action in these areas.

THE FARM CREDIT ADMINISTRATION (FCA) BOARD ADOPTS THE FOLLOWING POLICY STATEMENT:

It is the policy of the FCA to prohibit discrimination in Agency policies, program practices, and operations. Employees, applicants for employment, and members of the public who seek to take part in FCA programs, activities, and services will be treated fairly. The FCA Board Chairman and Chief Executive Officer (CEO) is ultimately responsible for ensuring that FCA meets all EEOD requirements and initiatives in accordance with laws and regulations, to maintain a workplace that is free from discrimination and that values all employees. FCA, under the appropriate laws and regulations, will:

- Ensure equal employment opportunity based on merit and qualification, without discrimination because of race, color, religion, sex (including sexual orientation), age (40 or older), national origin, disability, status as a parent, genetic information, or filing of a complaint, participation in discrimination or harassment complaint proceedings, or other opposition to discrimination;
- Provide for the prompt and fair consideration of complaints of discrimination;
- Make reasonable accommodations for qualified applicants for employment and employees with physical or mental disabilities under law;
- Make reasonable accommodations based on applicants' and employees' religious beliefs or practices, consistent with Title VII;
- Provide an environment free from harassment to all employees;
- Create and maintain an organizational culture that recognizes,

values, and supports employee and public diversity and inclusion;

• Develop objectives within the Agency's operation and strategic planning process to meet the goals of EEOD and this policy;

• Implement affirmative programs to carry out this policy within the Agency; and

• To the extent practicable, seek to encourage the Farm Credit System to continue its efforts to promote and increase diversity.

DIVERSITY AND INCLUSION

The FCA intends to be a model employer. That is, as far as possible, FCA will build and maintain a workforce that reflects the rich diversity of individual differences evident throughout this Nation. The Board views individual differences as complementary and believes these differences enrich our organization. When individual differences are respected, recognized, and valued, diversity becomes a powerful force that can contribute to achieving superior results. Therefore, we will create, maintain, and continuously improve on an organizational culture that fully recognizes, values, and supports employee diversity. The Board is committed to promoting and supporting an inclusive environment that provides to all employees, individually and collectively, the chance to work to their full potential in the pursuit of the Agency's mission. We will provide everyone the opportunity to develop to his or her fullest potential. When a barrier to someone achieving this goal exists, we will strive to remove this barrier.

AFFIRMATIVE EMPLOYMENT

The Board reaffirms its commitment to ensuring FCA conducts all of its employment practices in a nondiscriminatory manner. The Board expects full cooperation and support from everyone associated with recruitment, selection, development, and promotion to ensure such actions are free of discrimination. All employees will be evaluated on their EEOD achievements as part of their overall job performance. Though staff commitment is important, the role of supervisors is paramount to success. Agency supervisors must be coaches and are responsible for helping all employees develop their talents and give their best efforts in contributing to the mission of the FCA.

WORKPLACE HARASSMENT

It is the policy of the FCA to provide a work environment free from unlawful discrimination in any form, and to protect all employees from any form of harassment, either physical or verbal. The FCA will not tolerate harassment in the workplace for any reason. The FCA also will not tolerate retaliation against any employee for reporting harassment or for aiding in any inquiry about reporting harassment.

DISABLED VETERANS AFFIRMATIVE ACTION PROGRAM (DVAAP)

A disabled veteran is defined as someone who is entitled to compensation under the laws administered by the Veterans Administration or someone who was discharged or released from active duty because of a service-connected disability.

The FCA is committed to increasing the representation of disabled veterans within its organization. Our Nation owes a debt to those veterans who served their country, especially those who were disabled because of service. To honor these disabled veterans, the FCA shall place emphasis on making vacancies known to and providing opportunities for employing disabled veterans.

Dated this 18th day of August, 2015.

By Order of the Board.

Dale L. Aultman,

Secretary, Farm Credit Administration Board.

[FR Doc. 2015–21175 Filed 8–25–15; 8:45 am]

BILLING CODE 6705–01–P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve days of the date this notice appears in the **Federal Register**. Copies of the agreements are available through the Commission's Web site (*www.fmc.gov*) or by contacting the Office of Agreements at (202) 523–5793 or *tradeanalysis@fmc.gov.*

Agreement No.: 011383–046.

Title: Venezuelan Discussion Agreement.

Parties: Hamburg-Süd; King Ocean Services Limited, Inc.; Seaboard Marine Ltd.; and Seafreight Line.

Filing Party: Wayne R. Rohde, Esq.; Cozen O'Conner; 1627 I Street NW., Suite 1100; Washington, DC 20006–4007.

Synopsis: The amendment deletes MSC Mediterranean Shipping Company as a party to the Agreement.

Agreement No.: 011426–059.

Title: West Coast of South America Discussion Agreement.

Parties: CMA CGM S.A.; Hamburg-Süd; Hapag-Lloyd AG; King Ocean Services Limited, Inc.; MSC Mediterranean Shipping Company, SA; Seaboard Marine Ltd.; and Trinity Shipping Line.

Filing Party: Wayne R. Rohde, Esq.; Cozen O'Conner; 1627 I Street NW., Suite 1100; Washington, DC 20006–4007.

Synopsis: The amendment deletes Frontier Liner Services, Inc. as a party to the agreement.

By Order of the Federal Maritime Commission.

Dated: August 21, 2015.

Rachel E. Dickon,

Assistant Secretary.

[FR Doc. 2015–21134 Filed 8–25–15; 8:45 am]

BILLING CODE 6731–AA–P

FEDERAL TRADE COMMISSION

[File No. 151 0030]

Par Pharmaceutical, Inc. and Concordia Pharmaceuticals, Inc.; Analysis of Proposed Consent Orders to Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreements.

SUMMARY: The consent agreements in this matter settle alleged violations of federal law prohibiting unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the two consent orders—embodied in the consent agreements—that would settle these allegations.

DATES: Comments must be received on or before September 17, 2015.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/concordiaparconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Concordia Pharmaceuticals, Inc., et al—Consent Agreements; File No. 151–0030'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/concordiaparconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''Concordia

Pharmaceuticals, Inc., *et al.*—Consent Agreements; File No. 151–0030'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Bradley S. Albert, Bureau of Competition, (202–326–3670), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 § CFR 2.34, notice is hereby given that the above-captioned consent agreements containing consent orders to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, have been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreements, and the allegations in the complaint. An electronic copy of the full text of the each consent agreement package can be obtained from the FTC Home Page (for August 18, 2015), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.*

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before September 17, 2015. Write ''Concordia Pharmaceuticals, Inc., et al—Consent Agreements; File No. 151–0030'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. § 46(f), and FTC Rule 4.10(a)(2), 16 § CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 § CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/concordiaparconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Concordia Pharmaceuticals, Inc., et al—Consent Agreements; File No. 151–0030'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before September 17, 2015. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *http://www.ftc.gov/ftc/privacy.htm.*

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR § 4.9(c).

Analysis of Agreements Containing Consent Orders to Aid Public Comment

The Federal Trade Commission (''Commission'') has accepted, subject to final approval, Agreements Containing Consent Orders with Par Pharmaceutical, Inc., Par Pharmaceutical Holdings, Inc., TPG Partners VI, L.P. (hereinafter ''Par''), and with Concordia Pharmaceuticals Inc., and Concordia Healthcare Corp. (hereinafter ''Concordia''). The proposed orders are designed to settle allegations that Par and Concordia violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, by entering into an unlawful agreement not to compete relating to generic versions of Concordia's prescription drug known as Kapvay.

The proposed orders have been placed on the public record for 30 days in order to receive comments from interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the agreements and the comments received and will decide whether it should withdraw from the agreement or make the proposed orders final.

The purpose of this analysis is to facilitate public comment on the proposed orders. This Analysis to Aid Public Comment is not intended to constitute an official interpretation of the agreement, the complaint, or the proposed consent orders, or to modify their terms in any way. The proposed consent orders have been entered into for settlement purposes only and do not constitute admissions by Par or Concordia that either violated the law or that the facts alleged in the complaint, other than the jurisdictional facts, are true.

Background and the Challenged Conduct

The complaint charges that Par and Concordia entered an unlawful agreement that Concordia would refrain from launching an ''authorized generic'' version of its brand-name drug Kapvay in exchange for a share of the supra-competitive profits Par would earn as the sole seller of generic Kapvay.

An authorized generic is a prescription drug that has been approved by the FDA as a brand-name drug product, but is marketed by the brand company (or its representative) as a generic drug product, without the trademark of the brand-name drug. An authorized generic can be sold under the approval the FDA granted under a new drug application (NDA) at any time.[2] Brand-name drug companies frequently introduce authorized generics upon entry of the first generic to stem large losses resulting from the rapid shift of sales from brand-name drugs to lower-priced generic products. Empirical evidence from the Federal Trade Commission's Authorized Generic Study shows that competition between the first generic entrant and an authorized generic typically drives down both retail and wholesale generic drug prices.[3]

Competition from an authorized generic has significant financial implications for the first generic entrant, for two reasons: (1) The authorized generic typically takes substantial sales from the first entrant; and (2) the competition from an authorized generic means that, on average, sales are made at lower prices. When the first generic entrant is the sole seller of the generic drug product, it enjoys approximately double the revenues that it would otherwise make in the first six months on the market if it faced competition from an authorized generic.[4]

As alleged in the complaint:

Concordia owns and markets various brand-name drug products. It acquired the rights to Kapvay in May 2013. Kapvay is a non-stimulant medication for the treatment of attention deficit hyperactivity disorder, approved for sale in the United States in September 2010.

Par develops and markets generic drugs. Par filed an application seeking FDA approval to sell a generic version of Kapvay in March 2011.

The timing of FDA approval for an independent generic drug is subject to certain patent and regulatory exclusivity protections. The federal law commonly known as the Hatch-Waxman Act requires a brand-name drug manufacturer to notify the FDA of patents that could reasonably be asserted against a party making or selling its drug. The FDA publishes patent information in a document known as the ''Orange Book.'' If a generic drug manufacturer seeks FDA approval to market a generic product prior to the expiration of a listed patent or patents relating to the brand-name drug upon which the generic is based, the applicant must: (1) Certify to the FDA that the patent in question is invalid or is not infringed by the generic product (known as a ''paragraph IV certification''); and (2) notify the patent holder of the filing of the certification. If the holder of patent rights files a patent infringement suit within 45 days of the notification, FDA approval to market the generic drug is automatically stayed for 30 months, unless before that time the patent expires or is judicially determined to be invalid or not infringed.

In the case of Kapvay, the single patent listed in the FDA's Orange Book expired on October 13, 2013 (U.S. Patent No. 5,869,100 (''the '100 patent'')). When Par filed its application for approval of its generic Kapvay product in 2011, it submitted a paragraph IV certification concerning this patent. The company that held the rights to Kapvay at the time did not assert any claim for patent infringement.

Approximately five weeks before the '100 patent was due to expire, however, Par and Concordia entered into a ''License Agreement'' relating to Kapvay. The agreement granted Par a license effective one week before expiration of the '100 patent. Under this agreement, Concordia agreed not to market an authorized generic version of Kapvay for five years. Par in turn agreed to pay Concordia at least 35 percent (and as much as 50 percent) of the net profits from the sale of Par's generic Kapvay product.

Although the License Agreement purports to grant Par rights under the '100 patent and other unspecified current or future intellectual property (and a waiver of unspecified regulatory exclusivities), the parties provided no evidence that Concordia held any rights that might have prevented Par from selling generic Kapvay after expiration of the '100 patent. Aside from the '100 patent, which expired a week after the effective date of the license, no patent claiming Kapvay has ever been listed in the FDA Orange Book.

Par received final FDA approval for its generic Kapvay ANDA on September 30, 2013. It began selling generic Kapvay on October 7, 2013. Until May 15, 2015, Par was the only generic drug manufacturer to receive FDA approval for a generic Kapvay product.

Concordia launched an authorized generic Kapvay product in December 2014, after learning that the FTC was investigating its agreement with Par concerning Kapvay.

Competitive Analysis

The complaint charges that the challenged agreement between Par and Concordia constituted an unreasonable restraint of trade that was likely to harm competition and consumers by enabling Par to price its generic Kapvay product without facing competition from an authorized generic version of the drug. By agreeing to share a portion of its likely supra-competitive profits with Concordia, Par protected itself from competition from an authorized generic for five years. The agreement was not plausibly related to any efficiency-enhancing joint undertaking. It is therefore appropriate to analyze the challenged conduct here as a straightforward agreement not to compete.

The evidence in this case indicated that, without a competing generic Kapvay product, consumers and other private and public purchasers were likely forced to pay higher prices for generic Kapvay. In addition, as noted above, empirical evidence from the FTC's Authorized Generic Study confirms what economic theory predicts: when the brand company cedes all generic sales to the first generic entrant by agreeing not to introduce an authorized generic, the generic drug company on average captures substantially more sales and sells at significantly higher prices. Consumers, meanwhile, are forced to pay supra-competitive prices for the generic product.[5]

The Proposed Orders

The proposed orders are designed to remedy the unlawful conduct charged in the complaint and to prevent recurrence of similar conduct. The orders prohibit Par and Concordia from (1) enforcing the relevant provisions of their 2013 License Agreement and (2) entering into similar ''no-authorized-generic'' agreements in the future.

In the Par order, Paragraph II.A prohibits Par from seeking to enforce any provision in its 2013 License Agreement with Concordia that restricts Concordia's ability to market an authorized generic Kapvay product. Paragraph II.B provides that Par may not enter into any agreement that (1) limits a brand-name drug manufacturer's ability to market an authorized generic

[2] *See Teva Pharm. Indus.* v. *Crawford,* 410 F.3d 51 (D.C. Cir. 2005).

[3] Fed. Trade Comm'n, *Authorized Generic Drugs: Short-Term Effects and Long-Term Impact* (2011) (hereinafter ''Authorized Generic Study'') at 41–48, *available at https://www.ftc.gov/reports/authorized-generic-drugs-short-term-effects-long-term-impact-report-federal-trade-commission.*

[4] Authorized Generic Study at iii.

[5] *See* Authorized Generic Report at vi, 41–48, 57–59.

version of a drug product for which Par is seeking FDA approval to sell a generic counterpart; and (2) the limitation extends beyond the expiration of any Orange-Book listed patents for the drug in question.[6]

In the Concordia order, Paragraph II requires Concordia to relinquish any and all rights to payment under the License Agreement and to provide written notice to Par and the FTC of that relinquishment. Paragraph III bars Concordia from entering any agreement with a generic applicant for a reference-listed drug for which Concordia holds the NDA, if the agreement (1) limits marketing of an authorized generic version of that drug and (2) the limitation extends beyond the expiration of any Orange-Book listed patents for the drug in question.

The proposed orders' prohibitions on future agreements limiting an authorized generic cover only agreements in which the restraint extends beyond patent expiration. Agreements to restrict the sale of an authorized generic sometimes appear in patent litigation settlements and can serve as a means of compensating the generic patent challenger for agreeing to stay off the market for a period of time.[7] These arrangements can raise the same antitrust concerns that the Supreme Court addressed in *FTC* v. *Actavis,* 133 S. Ct. 2223 (2013).[8] That is not this case, however, and the proposed orders are not designed to address that type of conduct. As discussed above, the challenged agreement here did not arise out of pending or threatened patent litigation and nearly the entire five-year term of the agreement covered the period after expiration of the Kapvay patent.

For purposes of these proposed orders, ''authorized generic'' means a drug product distributed by or on behalf of an NDA holder, but marketed as a generic, regardless of whether it is manufactured pursuant to an NDA, an ANDA, or a 505(b)(2) application.[9]

The proposed orders each include a notice provision designed to assist in monitoring the respondents' future conduct with respect to an agreement to restrict the sale of an authorized generic product—without regard to whether the agreement extends beyond expiration of any listed patent. Par is required to notify the Commission and provide certain specified information if it enters certain agreements with a party that markets a brand-name drug for which Par has filed an application to sell a generic equivalent. Covered agreements are those that (1) limit the sale of an authorized generic and (2) take effect before the expiration of all Orange-Book listed patents for the relevant brand-name drug. A comparable provision in the Concordia order requires Concordia to provide such notice for agreements with a party seeking FDA approval to market a generic version of a brand-name drug for which Concordia holds the NDA. Both notice provisions terminate ten years after issuance of the orders.

These notice provisions differ from the filing requirements contained in Section 1112 of the Medicare Prescription Drug, Improvement and Modernization Act of 2003 (MMA). The notice required by the orders must be filed at least 30 days prior to the effective date of the agreement; MMA filings must be made within ten days after execution of the agreement.

The proposed orders also require that for five years Par and Concordia maintain compliance programs with certain prescribed features. Finally, the proposed orders contain certain reporting and other provisions that are designed to assist the Commission in monitoring compliance and are standard provisions in Commission orders. The proposed orders will expire in 20 years.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2015–21071 Filed 8–25–15; 8:45 am]

BILLING CODE 6750–01–P

[6] This provision applies to actions taken on behalf of Par Pharmaceutical, Inc., and Par Pharmaceutical Holdings, Inc., but would not apply to conduct by Respondent TPG Partners VI, L.P. that is not taken on behalf of the Par entities.

[7] *See, e.g.,* Authorized Generic Study at 139–53.

[8] *See King Drug Co. of Florence Inc.*v. *Smithkline Beecham Corp.,* No. 14–1243 (3rd Cir. June 26, 2015). *See also* Brief of Federal Trade Commission as Amicus Curiae, *American Sales Co.*v. *Warner-Chilcott Co., LLC,* Nos. 14–2071 and 15–1250 (1st Cir. June 16, 2015).

[9] A company seeking to market a generic product typically files an abbreviated new drug application (ANDA). In that case, instead of providing independent evidence of safety and effectiveness, the applicant must demonstrate that its drug is bioequivalent to its branded counterpart. In some circumstances, a generic drug manufacturer may need to submit reports of investigations of the safety and effectiveness of its product in addition to relying on existing data, under what is known as a ''505(b)(2)'' application.

GENERAL SERVICES ADMINISTRATION

[Notice–MA–2015–04; Docket No. 2015–0002; Sequence 22]

Federal Management Regulations; Improved Management of Undeliverable-as-Addressed Mail

AGENCY: Office of Government-Wide Policy, General Services Administration (GSA).

ACTION: Notice of a bulletin.

SUMMARY: The General Services Administration has issued Federal Management Regulation (FMR) Bulletin G–05, which provides guidance to Executive Branch agencies for improving management of undeliverable-as-addressed (UAA) mail. The bulletin provides agencies with information on the tools and best practices associated with UAA mail. The FMR Bulletin G–05 and all other FMR bulletins are located at *http://www.gsa.gov/fmrbulletins.*

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Cynthia Patterson, Office of Government-wide Policy (MAF), Office of Asset and Transportation Management, General Services Administration, at 703–589–2641 or via email at *cynthia.patterson@gsa.gov.* Please cite FMR Bulletin G–05.

SUPPLEMENTARY INFORMATION: FMR Bulletin G–05 consolidates information regarding tools and best practices for management of UAA mail from a number of sources. Better management of UAA mail reduces mailing costs and associated personnel costs, improves community outreach and relations, supports sustainability efforts by reducing printing, paper use, and energy consumption, and is consistent with the goals of Executive Orders 13589 and 13693, and the Federal Management Regulation. The four suggestions described in this bulletin are: (1) Establish internal policies to obtain and verify address correction, (2) prior to mailing, use USPS® certified vendors' address management tools, (3) actively manage returned mail with barcodes and scanning technology, and (4) track, monitor, and report returned mail on an annual basis to help the Federal community avoid UAA mail.

Dated: August 7, 2015.

Christine Harada,

Associate Administrator, Office of Government-wide Policy, General Services Administration.

[FR Doc. 2015–21187 Filed 8–25–15; 8:45 am]

BILLING CODE 6820–14–P

GENERAL SERVICES ADMINISTRATION

[Notice—CECANF–2015–07; Docket No. 2015–0004; Sequence No. 8]

Commission To Eliminate Child Abuse and Neglect Fatalities; Announcement of Meeting

AGENCY: Commission to Eliminate Child Abuse and Neglect Fatalities, GSA.

ACTION: Meeting Notice.

SUMMARY: The Commission to Eliminate Child Abuse and Neglect Fatalities (CECANF), a Federal Advisory Committee established by the Protect Our Kids Act of 2012, will hold conference calls open to the public on the following dates: Wednesday, August 26, 2015; Thursday, September 24, 2015; Friday, October 30, 2015; Thursday, November 12, 2015; and December 3, 2015.

DATES: The meetings will be held on the noted dates from 1:00 p.m. to 3:00 p.m., Eastern Daylight Time (EDT).

ADDRESSES: CECANF will convene these meetings via conference call.

Submit comments identified by ''Notice—CECANF–2015–08,'' by either of the following methods:

- *Regulations.gov: http://www.regulations.gov.*

Submit comments via the Federal eRulemaking portal by searching for ''Notice—CECANF–2015–08.'' Select the link ''Comment Now'' that corresponds with ''Notice—CECANF–2015–08.'' Follow the instructions provided on the screen. Please include your name, organization name (if any), and ''Notice—CECANF–2015–08'' on your attached document.

- *Mail:* U.S. General Services Administration, 1800 F Street NW., Room 7003D, Washington DC 20405, Attention: Tom Hodnett (CD) for CECANF.

Instructions: Please submit comments only and cite ''Notice—CECANF–2015–08, Announcement of Meeting'' in all correspondence related to this notice. Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *http://www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Visit the CECANF Web site at *https://eliminatechildabusefatalities.sites.usa.gov/* or contact Patricia Brincefield, Communications Director, at 202–818–9596, General Services Administration, 1800 F Street NW., Room 7003D, Washington DC 20405, Attention: Tom Hodnett (CD) for CECANF.

SUPPLEMENTARY INFORMATION:

Background: CECANF was established to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

Agenda: Commission members will continue discussing the work plans of the Commission subcommittees, the information that they have obtained to date, and emerging recommendations.

Attendance at the Meetings: Individuals interested in participating by teleconference should dial 1–800–870–9004 and then enter *3676137#. Detailed meeting minutes will be posted within 90 days of the meeting. Members of the public will not have the opportunity to ask questions or otherwise participate in the meeting.

However, members of the public wishing to comment should follow the steps detailed under the heading **ADDRESSES** in this publication or contact us via the CECANF Web site at *https://eliminatechildabusefatalities.sites.usa.gov/contact-us/.*

Dated: August 20, 2015.

Karen White,

Executive Assistant.

[FR Doc. 2015–21189 Filed 8–25–15; 8:45 am]

BILLING CODE 6820–34–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Reporting of Pregnancy Success Rates From Assisted Reproductive Technology (ART) Programs

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (DHHS).

ACTION: Final notice.

SUMMARY: The Centers for Disease Control and Prevention (CDC) in the Department of Health and Human Services (HHS) announces the requirements for reporting of pregnancy success rates from assisted reproductive technology (ART) programs as required by the Fertility Clinic Success Rate and Certification Act of 1992 (FCSRCA). This notice describes who shall report to HHS/CDC, the reporting system (National ART Surveillance System (NASS); the process for reporting by each ART program; the data to be reported; and the contents of the published reports. The proposed changes to reporting requirements were published in the **Federal Register** on July 21, 2014 (79 FR. 42328) and February 18, 2015 (80 FR. 8659) in accordance with requirements under the Paperwork Reduction Act; public comments and recommendations were requested. This notice incorporates the comments received from those notices and supersedes the previous notice published in the **Federal Register**, September 1, 2000 (65 FR. 53310).

FOR FURTHER INFORMATION CONTACT: Jeani Chang, Division of Reproductive Health, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention, 4770 Buford Highway, MS–74, Atlanta, Georgia 30341. Phone: (770) 488–6370. Email: *artinfo@cdc.gov.*

SUPPLEMENTARY INFORMATION: Section 2(a) of Public Law 102–493 (42 U.S.C.263a–1(a)), the Fertility Clinic Success Rate and Certification Act of 1992 (FCSRCA) requires that each ART program report annually to the Secretary of the Department of Health and Human Services through the Centers for Disease Control and Prevention (1) pregnancy success rates achieved by such ART program and (2) the identity of each embryo laboratory used by such ART program and whether the laboratory is certified or has applied for such certification under the act.

FCSRCA defines ''assisted reproductive technology'' (ART) as ''all treatments or procedures which include the handling of human oocytes or embryos, including in vitro fertilization, gamete intrafallopian transfer, zygote intrafallopian transfer, and such other specific technologies as the Secretary may include in this definition, after making public any proposed definition in such manner as to facilitate comment from any person (including any federal or other public agency).''

The Secretary is directed in FCSRCA to define pregnancy success rates and ''make public any proposed definition in such a manner as to facilitate comment from any person during its development.''

Section 2(c) (42 U.S.C. 263a–1(c)) states ''the Secretary shall consult with appropriate consumer and professional organizations with expertise in using, providing, and evaluating professional services and embryo laboratories associated with assisted reproductive technologies.''

Since 1995, HHS/CDC has reported pregnancy success rates of United States ART programs as required by FCSRCA. Changes in ART practice require

periodic revision of the National ART Surveillance System in order to maintain accurate reporting of ART success rates. In updating the definitions of success rates, as well as various factors and characteristics required for calculating the success rates or that might influence the success rates, HHS/CDC consulted with representatives of the Society for Assisted Reproductive Technology (SART, a national professional association of ART clinical programs), the American Society for Reproductive Medicine (ASRM, a national society dedicated to the advancement of the science and practice of reproductive medicine), RESOLVE (the National Infertility Association, a national, nonprofit consumer organization), Path2Parenthood (P2P, a national, nonprofit consumer organization), and the American Urological Association (AUA, a national professional association of urologic community) as well as a variety of individuals with expertise and interest in infertility and/or ART.

Public Comment Summary and Responses

Seven comments were received in response to the July 21, 2014 (79 FR. 42328) notice that outlined the reporting requirements, changes to NASS data elements, and the associated burden. Comments are summarized by the following topics: burden estimates, proposed NASS data elements, duplicative data collection, and request for additional data elements. Some commenters provide comments on multiple topics. Summaries of these comments, as well as HHS/CDC's responses, are provided below.

1. Burden estimates: Four commenters expressed concern that implementation of the new NASS system was not included in the total burden estimates, thus the burden to clinics for data reporting was underestimated.

Response: The estimated annual burden to clinics is calculated using the average time required to answer the number of questions and possible responses to each question when applicable. We acknowledge that there is an additional burden for the first year of this transition associated with making the appropriate software modifications that was not represented in the notice published on July 21, 2014. In order to minimize the impact of this burden on clinic operations, projected implementation of the new data collection system was changed from January 1, 2015 to January 1, 2016. We have also recalculated the burden for the first year to include the fixed burden associated with changes to the data collection systems in each clinic. The following changes were made to the burden estimate: a) increased the average burden to 43 minutes per response and b) added a one-time system implementation for each clinic (40 hours per each response) to update their data collection systems to reflect the new platform and interface of the NASS web-application over a 3-year clearance period.

2. Proposed NASS data elements: There was concern from one commenter that the proposed data elements went beyond the mandate established by FCSRCA and its implementing regulations. Commenter cited the information related to the quality of any embryo considered for transfer and prior ART cycles that resulted in pregnancy as two examples that appear to go beyond the mandate.

Response: HHS/CDC thanks the commenter for this comment, but notes that changes to the NASS data elements are essential to keep pace with changes in medical practice, ensure that reported success rates reflect standardized definitions, and provide additional insight into factors that may affect success rates. Regarding the addition of variables such as embryo quality and the number of prior ART cycles, the NASS system collects information on ART outcomes as well as other patient and procedure characteristics that may affect treatment outcomes. The reporting of success rates by patient and procedural factors allows consumers to see success rates for patients similar to themselves and undergoing procedures with similar characteristics. Presenting success rates without taking patient and procedural characteristics into account could produce inaccurate rates.

3. Duplicative data collection: There was concern from one commenter that the collection of ART outcomes by HHS/CDC duplicates the work SART already does and the resulting cost of a duplicative data collection to the government and taxpayers is not warranted.

Response: HHS/CDC notes the commenter's concern and reminds the commenter that this data collection is mandated by statute while data collection by a private entity is not required by law. FCSRCA requires that each assisted reproductive technology (ART) program annually report pregnancy success rates achieved by such ART program to the Secretary through HHS/CDC. Changes in ART practice require periodic revision of the National ART Surveillance System in order to maintain accurate reporting of ART success rates.

4. Request for additional data elements: Three commenters suggested the addition of data elements.

Commenter 1 suggested that it would be important for the NASS and Assisted Reproductive Technology Team to consider adding variables relating to infant outcomes (as listed below).

(1) Use of traditional or gestational surrogate carriers: Surrogate age, number of prior pregnancies, number of previous live born infants, and number of prior surrogacy (either gestational carrier or traditional surrogate).

(2) Maternal variables: occurrence of pregnancy induced hypertension, maternal diabetes and stage, hyperemesis gravidarium, fetal ultrasound results with special focus on fetal echocardiogram at 20–24 weeks.

(3) Placental examination: placental abnormalities, evidence of single umbilical artery, histologic chorioamnionitis, in twins or multiple gestations presence of twin to twin transfusion syndrome associated with artery-venous shunting in the placenta, placentation (diamniontic-dichorionic, monochorionic-diamniontic, and placentation of greater than twin).

(4) Neonatal Variables Suggested to be added:

A. Infant Weight, Length, and Head Circumference

B. Infant Gestational age as determined by Ballard Physical and Neurodevelopment examination

C. Admission to Neonatal Intensive Care Unit

D. Specific Neonatal Variables:

1. Apgar Scores as 1 and 5 minutes, requirement for resuscitation,
2. NICU admission,
3. Length of Hospital Stay,
4. Time (in days) to regain birth weight,
5. Specific Neonatal Morbidities:

a. Occurrence of Respiratory Distress Syndrome,
b. Presence of patent ductus arterioles,
c. Hyperbilirubinemia requiring A) phototherapy and/or B)exchange transfusion and maximum total serum bilirubin,
d. Occurrence of intraventricular hemorrhages by grade (Papille)*i.e.* Grade I to IV,
e. Occurrence of periventricular leukomalacia,
f. Occurrence of necrotizing enterocolitis using the Bell scoring system,
g. Occurrence of electrographic seizures,
h. Did the infant pass the newborn hearing screen,
i. Abnormalities on the Newborn Metabolic Screen,

j. Results of the screen for congenital heart disease (Upper and Lower Sp02 after 24 hours),
k. Occurrence of minor and major phenotypic anomalies, occurrence of specific syndromes including imprinting disorders,
l. Karyotype results (if performed), results of chromosomal arrays (if performed).

Response: FCSRCA requires that each assisted reproductive technology (ART) program annually report pregnancy success rates achieved by such ART program to the Secretary through HHS/CDC. Many of the suggested data elements are only available through vital records (*i.e.* birth certificates, fetal death certificates) and NASS does not collect information from birth certificates. Collection of the additional variables suggested is not feasible as part of this effort. No changes to the data collection were made as a result of this comment.

Commenter 2 requested clarification if the following male infertility data points are included in the new planned data collection:

- Medical condition
- Genetic or chromosomal abnormality, Specify_____
- Abnormal sperm parameters (select all that apply)
  Azoospermia, obstructive
  Azoospermia, non-obstructive
  Oligospermia, severe (<5 million/mL)
  Oligospermia, moderate (5–15 million/mL)
  Low motility (<40%)
  Low morphology (4%)
- Other male factor (not included above), Specify_____

Response: The suggested male infertility data points are already in the proposed NASS data elements; thus, no changes were made to the data collection as a result of this comment.

Commenter 3 recommended adding the method of delivery (Vaginal or C-section): Indication for c-section (if c-section used) (Prior c-section, Overdue delivery, Medical complication, Non-medical indication/Patient preference). This will take less than two additional minutes per cycle with live birth (zero for cycles without birth), as this information is almost always in the documents we routinely obtain.

Rationale for inclusion of this information includes: Some reports indicate c-section delivery is more common with frozen-thawed embryo transfer. It is also reported that frozen-thawed embryo transfer is associated with larger birthweights. These two variables might be causally related, or might be confounded in assessments of perinatal outcomes. Consider that large infants can motivate a c-section, FET cycles often follow a fresh delivery that might have used a c-section and thus create an indication for c-section, and c-sections abbreviate a pregnancy so that birth by c-section occurs some hours or days earlier than otherwise would have.

Response: HHS/CDC appreciates the suggestion to add 'Method of Delivery' to the data collection and agrees that this information could be reliably reported by the patient. 'Method of Delivery (Vaginal or C-section)' was added as a proposed data element. However, 'Indication for C-Section' is usually only available through either the birth certificate or from the obstetrical care providers. Collecting information directly from the obstetrician/gynecologists is not feasible as part of this effort.

Appendix—Notice for the Reporting of Pregnancy Success Rates From Assisted Reproductive Technology Programs

Introduction

This notice includes four sections:

I. Who Reports: describes who shall report to HHS/CDC.
II. When and How to Report: describes the reporting system and process for reporting by each ART program.
III. What to Report: describes the data items and definitions to be included in the reporting database.
IV. Published Reports and Data Usage: outlines the topics that will be included in the annual published reports and describes how data are collected in the reporting database.

I. Who Reports

The Fertility Clinic Success Rate and Certification Act of 1992 (FCSRCA) requires that each assisted reproductive technology (ART) program shall annually report pregnancy success rates to the Secretary of the Department of Health and Human Services through HHS/CDC. HHS/CDC began collecting data from ART programs starting with ART cycles performed in 1995. Between 1997 and 2003, HHS/CDC contracted with the Society for Assisted Reproductive Technology (SART) to annually obtain a copy of their clinic-specific database. Since 2004, HHS/CDC has maintained the National ART Surveillance System (NASS), a web-based ART data reporting system.

The following guidelines have been established to define an ART program and the reporting responsibilities of an ART program, including the responsibilities of each ART program's Medical Director.

A. Criteria to be Considered an ART Program

An ART program is defined as a practice, program, or clinic if it meets the following criteria:

(1) It is a legal business entity that practices under State law;

(2) It is recognizable to the consumer as a stand-alone ART program or clinic, separate and apart from another ART program or clinic with whom that program may share some or all resources or liability;

(3) It provides ART services to patients who have experienced infertility or are undergoing ART for other reasons.

B. Reporting Responsibilities of the Medical Director

The current Medical Director of the ART program at the time of the reporting is responsible for verifying and reporting all ART cycle data for that reporting year. If the Medical Director is not available to verify and approve the reported cycle data due to unforeseen circumstances, the Laboratory Director may assume the reporting responsibilities for the Medical Director. If there is a change in personnel, including the Medical Director's position, between the time the ART cycles occurred and the time the reporting year data are due, the current Medical Director in position at the time of the final reporting deadline is responsible for reporting and verifying all ART cycles performed by that program in that reporting year.

C. Reporting Responsibilities of ART Program

There are a variety of ways in which ART programs might be structured. Reporting is based upon ART cycles performed within a program not by an individual physician. Therefore, one or more individual physicians within a single ART program may not report their data separately from the remainder of the physician group. Individual physicians who practice independently may not pool their data and report together as one program.

The following sections provide guidance on the reporting responsibilities for programs:

(1) One practice, one site—An ART program with one or more physicians who share resources and/or liability, but not necessarily patients, at one location. In a practice with several physicians, the Medical Director is required to report every ART cycle performed at the ART program under one NASS ID, even when other practitioners in the ART program may have performed most or all of the work for the cycle(s). An ART program cannot report cycles from another program for which one of their current or former practice physicians are responsible except in the case of reorganization. Reorganization of an ART program is defined as a change in ownership or affiliation, or when at least two of the three key staff positions (Practice Director, Medical Director, or Laboratory Director) change because the person(s) in those positions is/are no longer employed with the practice. In the case of reorganization, the clinic Medical Director in position at the time of the final reporting deadline is responsible for reporting and verifying all ART cycles performed by that program in that reporting year.

(2) One practice, multiple sites—An ART program with one or more physicians who share resources and/or liability, but not necessarily patients, at multiple locations. If any site satisfies the definition of an individual ART program as described above (Section I, A), that site should report

separately under a unique NASS ID. Contact the NASS Help Desk at 1–888–650–0822 to discuss other multiple site scenarios. A reporting determination will be made based on the definitions and guidance provided here.

(3) Multiple ART programs involved in one cycle—Different ART programs responsible for ovarian stimulation, oocyte retrieval, and/or embryo transfer.

The following guidelines should be used:

a. The requirement to report cycles lies with the ART program that accepts responsibility for the embryo culture. The ART programs involved must have a method in place to ensure that these cycles can be prospectively reported by the ART program required to report them. In addition, all canceled cycles must be reported by the ART program accepting responsibility for the embryo culture.

b. Cycles involving previously cryopreserved oocytes/embryos are to be reported by the ART program that accepts responsibility for thawing the oocytes/embryos.

(4) Multiple ART programs sharing one ART laboratory—Independent ART programs that share an embryology laboratory or use another program's laboratory must report their cycles independently under their own unique NASS IDs.

II. When and How To Report

A. Reporting Activities

The deadline for reporting ART cycle and pregnancy outcome data to HHS/CDC is December 15 of the year after which cycles were conducted. For example, the deadline to report data on cycles initiated between January 1, 2013 and December 31, 2013 was December 15, 2014. HHS/CDC will send a letter to all qualifying ART programs to announce each reporting year deadline 90 days before cycle data are due. An ART program is considered to be non-compliant with the federal reporting requirements of the FCSRCA if the program was in operation at any time during the reporting year and performed any ART cycles and (a) fails to submit ART cycle data to HHS/CDC by the reporting deadline, or (b) the program's Medical Director fails to verify the clinic success rates table by the reporting deadline. These programs will be identified as non-reporters in HHS/CDC's annual Assisted Reproductive Technology Fertility Clinic Success Rates Report. ART programs that were in operation at any time during the reporting year but did not perform any ART cycles will not be included in HHS/CDC's annual ART report (either as a reporting or as a non-reporting clinic).

ART programs that are submitting data to HHS/CDC via the NASS or through an approved alternative (*i.e.,* SART member clinics may report their data to NASS through SART) will be considered to be in compliance with federal reporting requirements of the FCSRCA. Regardless of the method chosen for submitting data to NASS, each clinic must complete the annual submission steps as detailed in the NASS Annual Submission Guide posted on the NASS Web site (*www.artreporting.org*). A NASS account can be set up by calling the NASS Help Desk at 1–888–650–0822 or by sending an email to *NASS@artreporting.org.* NASS accounts established previously can be used for data submission by the same clinic, although user passwords may need to be re-established if they have expired since last using NASS. ART programs should also notify the NASS Help Desk of any changes in clinic location, ownership, or key staff (*i.e.,* Practice, Medical, or Laboratory Director) and provide NASS with a list of all practicing physicians in the program.

All cycle data must be reported prospectively, *i.e.*, reporting of initial cycle intent and select patient details is required within four days of cycle initiation. Each ART patient will be assigned a unique, system-generated patient ID when the program first enters the patient in NASS. The program is responsible for linking each patient's ID to the patient's medical records for reporting any future ART cycles. Each ART cycle for each patient is also assigned a unique cycle code. In NASS, the patient is identified by the NASS ID and the patient ID; the cycle code (cycle IDs) allows identification of all cycles performed on a single patient. Since the patient's name and social security number are not included in the reporting database, each program should maintain personal identifiers in the program's database on site in order to link every cycle reported to CDC to a specific patient.

B. Updating of Reporting Requirements

ART is a rapidly developing medical science. To keep current as practices evolve, ART reporting requirements, including data collection instruments, variables, and definitions, will be periodically reviewed and updated as new knowledge concerning ART methods and techniques becomes available. During such a review, professional and consumer groups and individuals will be consulted to confirm the validity of the new or revised reporting requirements and data elements. Clinics will be notified in writing at least 120 days in advance of January 1st of the reporting year of all changes to the reporting requirements.

ART programs are ultimately responsible for ensuring that their data are mapped accurately into the required NASS format if using third-party electronic medical records or reporting systems to submit their ART data through NASS to HHS/CDC. ART programs must ensure their clinic data can be correctly transmitted to NASS for pre-import NASS quality control reviews and imported into NASS in time for the required NASS annual submission steps by the HHS/CDC deadline. HHS/CDC will continue to inform clinics of all necessary requirements for importing data from other electronic medical record systems into NASS and for checking imported data to ensure that it retains the accuracy and compatibility of the data entry system from which it was extracted.

Each ART program should be aware that the Paperwork Reduction Act is applicable to this data collection. Under the Paperwork Reduction Act of 1995, a Federal agency shall not conduct or sponsor a collection of information from ten or more persons other than Federal employees, unless the agency has obtained approval from the Office of Management and Budget (OMB) for the collection of information. A person is not required to respond to a collection of information unless it displays a currently valid OMB control number. In compliance with the Paperwork Reduction Act, HHS/CDC has obtained OMB approval to collect this data under OMB control No. 0920–0556, expiration 07/31/2018.

C. External Validation of Clinic Data

As part of the annual routine activities of this surveillance program, all ART programs are subject to external validation of their reporting activities, which will include review by appropriate professionals from CDC staff and CDC contractors. This review may include but is not limited to examination of medical and laboratory records and comparison with data reported in NASS.

Each year, HHS/CDC selects a random sample of 5–10% of all reporting ART programs, after taking into consideration some clinic characteristics, *e.g.*, size of clinics, number of cancelled cycles, or number of multiple births for an on-site validation visit. The purpose of validation is to evaluate the overall accuracy of data reported in NASS. It also serves to identify any systematic problems that could cause data collection to be inconsistent or incomplete. During validation visits, data submitted to NASS are compared with data recorded in the patient medical records, which allows for the calculation of discrepancy rates. All potential data discrepancies identified during the on-site visit will be discussed with staff of the ART program. If major data discrepancies are identified during data validation (*e.g.*, lack of supporting information for pregnancy outcomes, underreporting cycles, etc.), HHS/CDC may re-select these ART programs for data validation during the following reporting year(s) to assess corrections of identified data errors. Aggregate findings for validated data fields from all ART programs participating in validation will be reported in HHS/CDC's Fertility Clinic Success Rates Report. The HHS/CDC validation process is not an assessment of clinical practice or overall record keeping; however, the results of the validation may be helpful to ART programs.

Each clinic is responsible for maintaining appropriate medical and laboratory records that contain information reported in NASS. This information must be able to link each patient, cycle, oocyte retrieved, transfer, and pregnancy outcome for the purpose of external validation.

III. What To Report

Cycle-specific data for the following patients must be reported: (1) All patients undergoing ART, (2) all patients undergoing ovarian stimulation or monitoring with the intent of undergoing ART but who did not proceed to oocyte retrieval or transfer of embryos for any reason, including patients whose cycles were canceled for any reason, (3) all patients providing donor oocytes, and (4) all patients undergoing monitoring and/or embryo (or oocyte) thawing with the

intention of transferring cryopreserved embryos. Only cycles performed in the U.S. may be reported to CDC. ART programs must report the following data items:

A. Patient Demographic Information

Date of Cycle Reporting
NASS ID
Optional Identifier (as needed)
Date of Birth
Gender
U.S. Residency
City of Residence
State of Residence
Country of Residence (if not United States)

B. Cycle Information

1. Intended Cycle Information

Intended Type of Cycle (IVF, GIFT, ZIFT, Oocyte or embryo banking)
Intended Embryo Source (Patient, Donor)
Intended Embryo State (Fresh, Frozen)
Intended Oocyte Source (Patient, Donor)
Intended Oocyte State (Fresh, Frozen)
Intended Sperm Source (Partner, Donor, Patient, Unknown)
Pregnancy Carrier (Patient, gestational carrier, none-for oocyte/embryo banking only)

2. Cycle Information

Type of Cycle (IVF, GIFT, ZIFT, Oocyte or embryo banking)
Embryo Source (Patient, Donor)
Embryo State (Fresh, Frozen)
Oocyte Source (Patient, Donor)
Oocyte State (Fresh, Frozen)

3. Patient Medical Evaluation

Reason(s) for ART
- Male Infertility (Medical condition, Genetic or chromosomal abnormality, abnormal sperm parameters, Obstructive azoospermia, Non-obstructive azoospermia, Severe oligospermia, Moderate oligospermia, Low motility, Low morphology, other)

History of Endometriosis
- Tubal Ligation for Contraception
- Current or Prior Hydrosalpinx
- Other Tubal Disease (Not Current or Historic Hydrosalpinx)
- Ovulatory Disorders (PCO, Other)
- Diminished Ovarian Reserve
- Uterine Factor
- Preimplantation Genetic Diagnosis as Primary Reason for ART
- Oocyte or Embryo Banking As Reason for ART
- Indication for Use of Gestational Carrier (Absence of uterus, Significant uterine anomaly, Medical contraindication to pregnancy, Recurrent pregnancy loss, Unknown)
- Recurrent Pregnancy Loss
- Other Reasons Related to Infertility (Specify)
- Other Reasons Not Related to Infertility (Specify)
- Unexplained Infertility

C. Patient History

Height
Weight
History of Smoking
History of Prior Pregnancy (Number of prior full term, preterm, stillbirth, spontaneous, ectopic pregnancies)
Months attempting pregnancy
History of Prior ART (Fresh & Frozen)
Maximum FSH Level (mIU/mL)
Recent AMH Level (ng/mL)
Date of Most recent AMH Level

D. Oocyte Source and Carrier Information

Date of Birth
Race (White, Black, Asian, Native Hawaiian/Pacific Islander, American Indian or Alaska Native)
Ethnicity (Hispanic, non-Hispanic, Refused, Unknown)

E. Sperm Source Information

Date of Birth
Race (White, Black, Asian, Native Hawaiian/Pacific Islander, American Indian or Alaska Native)
Ethnicity (Hispanic, non-Hispanic, Refused, Unknown)

F. Stimulation and Retrieval

Stimulation
Aromatase Inhibitor/Estrogen Receptor Medication (Clomiphene and Letrozole dosage)
FSH Medication
LH/HCG Medication
GnRH (Gonadotropin-releasing hormone)(None, GnRH agonist suppression, GnRH agonist flare, GnRH Antagonist suppression)
Canceled Cycle
Date of Canceled Cycle
Reason for Canceled Cycle (Low ovarian response, High ovarian response, Inadequate endometrial response, Concurrent illness, Withdrawal for personal reasons, Other)
Date of Retrieval
Number of Patient Oocytes Retrieved
Number of Donor Oocytes Retrieved
Use of Oocytes (For this cycle, Oocytes frozen for future use, Oocytes shared with other patients, Embryos frozen for future use)
Complications of Stimulation and Retrieval (Infection, Hemorrhage, Ovarian Hyperstimulation requiring intervention or hospitalization, Medication Side Effect, Anesthetic Complication, Thrombosis, Death, Other) Sperm Status (Fresh, Thawed, Mix of fresh and thawed) Sperm Source Utilized (Ejaculated, Epididymal, Testis, Electroejaculation, Retrograde urine, Donor, Unknown)

G. Laboratory Information

ICSI (Intracytoplasmic sperm injection) (All oocytes, Some oocytes, No oocytes, Unknown)
Indication for ICSI (Prior failed fertilization, Poor fertilization, PGD, Abnormal semen parameters, Low oocyte yield, Laboratory routine, Frozen cycle, Rescue ICSI, Other)
IVM (In vitro maturation)
PGD (Pre-implantation genetic diagnosis)
PGS (Pre-implantation genetic screening)
Reasons for PGD/PGS
Technique(s) Used for PGD/PGS
Assisted Hatching
2 Pronuclei
Research Cycle
SART Approval Code for Research Cycle

H. Transfer Information

Attempted Transfer
Reason for No Transfer (Low Ovarian Response, High Ovarian Response, Failure to Survive Thaw, Inadequate Endometrial Response, Concurrent Illness, Patient Withdrawal from Treatment, Unable to Obtain Sperm Specimen, Insufficient Embryos, Other)
Date of Transfer
Endometrial Thickness

1. Fresh Embryo Transfer

Number of Fresh Embryos Available for Transfer
Number of Fresh Embryos Transferred
eSET
Quality of Embryo (Good, Fair, Poor, Unknown)
Number of Fresh Embryos Cryopreserved

2. Thawed Embryo Transfer

Number of Thawed Embryos Available for Transfer
Number of Thawed Embryos Transferred
Quality of Embryo
Date of Oocyte retrieved for the Thawed Embryos
Number of Thawed Embryos Cryopreserved

3. GIFT/ZIFT/TET Transfer (for Non-IVF Cycle)

Number of Oocytes/Embryos Transferred to Fallopian Tube

I. Outcome Information

Outcome of Treatment (Not Pregnant, Biochemical Pregnancy, Ectopic Pregnancy, Clinical Intrauterine Gestation, Heterotopic Pregnancy, Unknown)
Maximum Number of Fetal Hearts
Ultrasound Date
If >2 Fetal Hearts, any Monochorionic Twins/Multiples
Outcome of Pregnancy (Live Birth, Stillbirth, Spontaneous Abortion, Induced Abortion, Maternal Death Prior to Birth, Unknown)
Date of Pregnancy Outcome
Method of delivery (Vaginal, Cesarean section)
Source for Outcome of Pregnancy (Verbal Confirmation Patient, Written Confirmation Patient, Verbal Confirmation Physician or Hospital, Written Confirmation Physician or Hospital)
Method of Delivery (Vaginal, Cesarean section)
Number of Infants Born
Birth Status (Live Birth, Stillbirth, Unknown)
Gender of Infant (Each Live-born and Stillborn Infant)
Birth Weight (Each Live-born and Stillborn Infant)
Birth Defect (Each Live-born and Stillborn Infant) (Genetic Defect/Chromosomal Abnormality, Cleft Lip or Palate, Neural Tube Defect, Cardiac Defect, Limb Defect, Other Defect)

J. Definitions

The following definitions provide clarification for the required data items:

Assisted reproductive technology (ART)—All treatments or procedures that include the handling of human oocytes or embryos for the purpose of establishing a pregnancy. This includes, but is not limited to in vitro fertilization and transcervical embryo transfer, gamete intrafallopian transfer, zygote intrafallopian transfer, tubal embryo transfer, oocyte or embryo cryopreservation, oocyte or embryo donation, and gestational surrogacy. ART does not include assisted insemination using sperm from either a woman's partner or sperm donor.

ART cycle—ART cycles can be stimulated (use of ovulation induction) or unstimulated (natural cycle). An ART cycle is considered any cycle in which (1) ART has been used, (2) the woman has undergone ovarian stimulation or monitoring (*i.e.*, performance of sonogram, serum estradiol or LH measurements) with the intent of undergoing ART, (3) in the case of donor oocytes, a woman began medication for endometrial preparation with the intent of undergoing ART, or (4) in the case of cryopreserved embryos or oocytes, a woman began medication for endometrial preparation with the intent of undergoing ART and/or embryos were thawed with the intent of transfer.

Anti-mullerian hormone (AMH) level—A measure of diminished ovarian reserve that predicts the ovaries' response to ovarian stimulation during ART.

Assisted hatching—A micromanipulation technique that involves making a small opening in the zona wall of the embryo in an effort to enhance implantation.

Azoospermia, obstructive—Complete absence of sperm from the ejaculate. Obstructive azoospermia may result from epididymal, vasal, or ejaculatory duct pathology.

Azoospermia, non-obstructive—Complete absence of sperm in the ejaculate due to testicular failure, varicoceles, or chromosomal abnormalities such as Y-chromosome microdeletions or karyotypic abnormalities (*e.g.*, Klinefelter syndrome).

Birth defect—Anomaly diagnosed prior to or at birth that results in death or causes a serious disability requiring surgical and/or medical therapy. Specific anomalies to be identified include genetic defect/chromosomal abnormality, cleft lip or palate, neural tube defect, cardiac defect, limb defect, or other defect.

Biochemical pregnancy—A positive serum pregnancy test (Beta-hCG) without ultrasound confirmation of a gestational sac within the uterus, and without diagnosis of an ectopic pregnancy.

Blastocyst/trophectoderm biopsy—Procedure involving the removal of a small number of trophectoderm cells from a blastocyst stage embryo for genetic testing. A blastocyst is a day 5/6 embryo which contains two cell types—the inner cell mass, which eventually develops into fetal tissues, and the trophectoderm, which gives rise to the developing placenta and other tissues.

Blastomere biopsy—Procedure involving the removal of one blastomere from a cleavage stage embryo for genetic testing. A cleavage stage embryo is a day 3 embryo when approximately 6–8 cells are present.

Cancelled cycle—An ART cycle in which ovarian stimulation or monitoring or endometrial preparation has been carried out with the intent of undergoing ART but which did not proceed to oocyte retrieval or to the transfer of embryos. Reasons for cancellation include low ovarian response, high ovarian response, inadequate endometrial response, concurrent illness, patient withdrawal from treatment, failure of oocytes to survive thaw, an inability to obtain sperm specimen, or insufficient embryos.

Clinical pregnancy/Clinical intrauterine gestation—An ultrasound-confirmed gestational sac within the uterus or the documented occurrence of a birth, spontaneous abortion, or induced abortion in cases of missing ultrasound data. Clinical pregnancies include all gestational sacs regardless of whether or not a heartbeat is observed or a fetal pole is established. This definition excludes ectopic pregnancy but includes pregnancies which end in live birth, stillbirth, spontaneous abortions, and induced abortions.

Clomiphene citrate—An ovulation induction medication with trade names such as Clomid®, Serophene®, or Milophene®.

Complication—A medical complication for the woman related to ART procedures. Specific complications to be identified include infection, hemorrhage requiring transfusion, ovarian hyperstimulation syndrome requiring intervention or hospitalization, medication side effect, anesthetic complication, thrombosis, death of patient, or other specified complication.

Cryopreservation—A technique used in ART to preserve sperm, oocytes, and embryos through freezing.

Cycle start date (cycle initiation date)—

(1) For fresh embryo, (both donor and non-donor): The first day that medication to stimulate follicular development is given in a stimulated cycle or the first day of menses in an unstimulated cycle. For example:

a. The first day of gonadotropins in a gonadotropin only cycle or in a long suppression GnRH agonist-gonadotropin cycle;

b. The first day of GnRH agonist in a GnRH agonist flare-gonadotropin cycle;

c. The first day of clomiphene or letrozole in a clomiphene/gonadotropin cycle or a clomiphene only cycle;

d. The first day of natural menses or withdrawal bleeding in an unstimulated cycle.

(2) For fresh embryo donor cycles:

a. The first day exogenous sex steroids are given to patient to prepare the endometrium;

b. The first day of natural menses or withdrawal bleeding in an unstimulated cycle.

(3) For frozen embryo cycles (both donor and non-donor):

a. The first day exogenous sex steroids are given to prepare the endometrium;

b. The first day of natural menses or withdrawal bleeding in an unstimulated cycle.

(4) For oocyte/embryo banking cycles:

a. The first day of gonadotropins in a gonadotropin only cycle or in a long suppression GnRH agonist-gonadotropin cycle;

b. The first day of GnRH agonist in a GnRH agonist flare-gonadotropin cycle;

c. The first day of clomiphene or letrozole in a clomiphene/gonadotropin cycle or a clomiphene only cycle;

d. The first day of natural menses or withdrawal bleeding in an unstimulated cycle.

Diminished ovarian reserve—A condition of reduced fecundity related to diminished ovarian function based on clinical assessment; often indicated by FSH≤10 mIU/mL or AMH<1.0 ng/mL.

Donor embryo cycle—A cycle initiated with the intent to transfer donated embryos, that is, embryos derived from oocytes previously fertilized for another couple's ART therapy that were subsequently donated.

Donor oocyte cycle—A cycle initiated with the intent to transfer oocytes, or embryos derived from oocytes that were retrieved from a woman serving as an oocyte donor (sperm source may be either the patient's partner or a sperm donor selected by the patient).

Ectopic pregnancy—A pregnancy in which the fertilized egg implants outside the uterine cavity.

Elective single embryo transfer—A procedure in which one embryo, selected from a larger number of available embryos, is placed in the uterus or fallopian tube. The embryo selected for eSET might be from a previous IVF cycle (*i.e.*; cryopreserved [frozen] embryos) or from a current fresh IVF cycle that yielded more than one embryo. The remaining embryos may be set aside for future use through cryopreservation.

Embryo—The normally (2 pronuclei) fertilized egg that has undergone one or more divisions.

Embryo banking cycle—A cycle initiated with the intent of cryopreserving all embryos for later use. (This does not apply to cycles initiated with the intent to transfer embryos but for which all embryos were subsequently cryopreserved regardless of the reason.) Embryo banking can be short term (<12 months) or long term (≥12 months).

Embryo quality—Refers to the quality of the embryo as determined by its morphology. Embryo morphology assessment includes two parts: an overall grade and the stage. Overall grading is a subjective assessment of the overall quality of the embryo as good, fair or poor, and is based on assessment of certain characteristics of the embryo, such as fragmentation, symmetry, inner cell mass (ICM) quality or trophectoderm quality. Stage dependent grading involves determining the developmental stage of the embryo.

—Good: Embryo free of imperfections or with only minor imperfections.

—Fair: Embryo lacking exceptional quality but not excessively imperfect either.

—Poor: Embryo with numerous imperfections.

Embryo transfer—Attempt to introduce embryo(s) into a woman's uterus or attempt to introduce embryos or gametes (oocytes and sperm) into a woman's fallopian tubes; a transfer procedure is considered to have been carried out, if attempted, even if no embryos or gametes were successfully transferred.

Endometriosis—The presence of tissue resembling endometrium in locations outside the uterus such as the ovaries, fallopian

tubes, and abdominal cavity; a history of all stages of endometriosis (minimal to severe) whether treated or not may be a reason for ART.

Endometrium—The lining of the uterus that is shed each month as the menstrual period. As the monthly cycle progresses, the endometrium thickens and thus provides a nourishing site for the implantation of a fertilized egg.

Fertilization—The penetration of the egg by the sperm and fusion of genetic materials to result in the development of a fertilized egg (or zygote).

Fetus—The developmental stage during pregnancy from the completion of embryonic development at eight weeks of gestation until delivery.

Flare protocol—A stimulation protocol in which a GnRH agonist is started on day 2 of the same menstrual cycle during which the eggs will be retrieved.

Follicle—A fluid-filled sac located just beneath the surface of the ovary that contains an oocyte and cells that produce hormones.

Fresh embryo—An embryo created during the current cycle (either from the patient or donor), *i.e.,* not a thawed embryo created during a previous cycle. Fresh embryos can be created from either fresh or frozen eggs or sperm.

Fresh oocyte—An oocyte retrieved during the current cycle (either from the patient or donor), *i.e.,* not a thawed oocyte retrieved during a previous cycle.

Follicle stimulating hormone (FSH)—A gonadotropin hormone produced and released from the pituitary that stimulates the ovary to ripen a follicle for ovulation. FSH is available in several types of preparations including: Urofollitropin, Follitropin alfa and Follitropin beta, some of which also include luteinizing hormone (LH). Trade names include Gonal-f®, Metrodin®, Fertinex™, Bravelle™, Repronex®, Pergonal®, Humegon®, and Follistim™.

Full-term birth—A birth that reached 37 completed weeks of gestation. This includes both live births and stillbirths. For the purpose of reporting prior full-term births, births are counted as birth events (*e.g.,* a triplet birth is counted as one).

Gamete intrafallopian transfer (GIFT)—An ART procedure that involves removing oocytes from a woman's ovary, combining them with sperm, and immediately transferring (via a catheter) the eggs and sperm into the fallopian tube. Fertilization takes place inside the fallopian tube.

Gestational carrier (sometimes referred to as a gestational surrogate)—A woman who gestates an embryo that did not develop from her oocyte, with the expectation of returning the infant to its intended parent(s). NOTE: For female same sex couples, the woman who will carry the pregnancy should be identified as the patient and a separate cycle should be reported if donor oocytes are used, even if the patient's partner is the source of the oocytes. If a gestational carrier is used, one cycle is reported for fresh embryo cycle; two cycles should be reported for frozen embryo cycle (one for the oocyte retrieval and one for the embryo transfer).

Gonadotropin—Hormones having a stimulating effect on the gonads (ovaries and testes). Two such hormones are secreted by the anterior pituitary: follicle stimulating hormone (FSH) and luteinizing hormone (LH). Gonadotropins (FSH, either alone or with LH) are also included in drug preparations used to stimulate follicular development during an ART cycle.

Gonadotropin-releasing hormone (GnRH)—A hormone secreted by the hypothalamus which induces the pituitary gland to release follicle stimulating hormone (FSH) and luteinizing hormone (LH) into the bloodstream.

—GnRH agonists—synthetic hormones that stimulate and then suppress the secretion of FSH and LH

—GnRH antagonists—synthetic hormones that suppress the secretion of FSH and LH

Gravidity—Total number of prior pregnancies a patient has had. This includes ectopic pregnancies, biochemical pregnancies, and pregnancies that ended in therapeutic abortion, spontaneous abortion, stillbirth, or live birth.

Heterotopic pregnancy—A clinical intrauterine gestation in combination with an ectopic pregnancy.

Human chorionic gonadotropin (HCG)—A hormone produced by the placenta after implantation. It is used during ART to cause ovulation.

Hydrosalpinx (current and prior)—Accumulation of watery fluid in a fallopian tube that usually results from damage to the tube.

—Communicating: Patent fallopian tube. Non-occluded.

—Occluded: Non-communicating fallopian tube. Occlusion may be by means of salpingectomy, tubal ligation, or hysteroscopic occlusion.

Induced abortion—Operative or medical intervention to electively terminate the entire pregnancy (no gestational age limit).

Intracytoplasmic sperm injection (ICSI)—The placement of a single sperm into the ooplasm of an oocyte by micro-operative techniques.

In vitro fertilization (IVF)—A method of assisted reproduction that involves removing oocytes from a woman's ovaries, combining them with sperm in the laboratory, and after fertilization is confirmed, replacing the resulting embryo into the woman's uterus.

In vitro maturation (IVM)—Procedure in which eggs are removed from the ovaries and are collected when they are still immature. They are then matured in the laboratory before being fertilized.

Letrozole— An ovulation induction medication, such as the medication with the trade name Femara ®.

Live birth—A birth (delivery) in which at least one fetus was live born, *i.e.,* showed signs of life after the complete expulsion or extraction from its mother or gestational carrier. Signs of life include breathing, beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles. Any birth event in which an infant shows signs of life should be counted as a live birth, regardless of gestational age at birth. Live births are counted as birth events (*e.g.,* a triplet live birth is counted as one).

Low sperm motility—Sperm motility less than laboratory norm (varies by method used).

Low sperm morphology—Sperm morphology less than laboratory norm (varies by method used).

Luteinizing hormone (LH)—A gonadotropin hormone produced and released from the pituitary that stimulates the ovary to ripen a follicle for ovulation.

Male infertility—Infertility due to abnormal semen parameters or abnormal sperm function.

Method of delivery—Method used to deliver infant(s), vaginal or Cesarean section.

Monochorionic—When two or more embryos or fetuses share the same chorion and the same placenta.

NASS ID—An identification number assigned to each ART clinical program by the reporting database operator.

Oligospermia—Semen with a low concentration of sperm. Severe oligospermia is defined by <5 million spermatozoa per mL; moderate is defined by 5–15 million spermatozoa per ml.

Oocyte—The female reproductive cell, also called an egg.

Oocyte banking—A cycle initiated with the intent of cryopreserving all un-fertilized oocytes for later use. This does not apply to cycles initiated with the intent to transfer embryos. Oocyte banking can be short term (<12 months) or long term (≥12 months).

—Autologous oocyte banking—refers to cycles where the patient is banking her own oocytes for later use.

—Donor oocyte banking—refers to cycles where a donor is banking oocytes for use by someone else at a later date.

Oocyte donor—A woman who undergoes an oocyte retrieval procedure with the intent of donating the oocytes retrieved to a couple(s) undergoing an ART donor oocyte cycle (see donor oocyte cycle).

Oocyte retrieval—A procedure to collect the eggs contained within the ovarian follicles. This definition includes procedures in which oocyte recovery was attempted but not successful.

Oocyte transfer—In GIFT (see definition), transfer of retrieved eggs into a woman's fallopian tubes. Includes attempted transfers, whether or not the transfer was successful.

Ovarian monitoring—Monitoring the development of ovarian follicles by ultrasound and/or blood or urine tests.

Ovarian stimulation—Use of one or more follicle stimulation medications to stimulate the ovary to develop follicles and oocytes.

Ovarian hyperstimulation requiring intervention or hospitalization—Hyperstimulation may be evidenced by abdominal distension and discomfort; nausea, vomiting, and/or diarrhea; ovaries enlarged 5–12 cm; ultrasonic evidence of ascites; clinical evidence of ascites and/or hydrothorax or breathing difficulties; change in blood volume; increased blood viscosity due to hemoconcentration; coagulation abnormalities; diminished renal perfusion and function, -hematocrit >50%; and requiring intervention such as paracentesis or hospitalization.

Ovulatory disorder—One or more disorders causing reduced fecundity that is associated

with structural, anatomic, or functional impairment of one or both ovaries; includes polycystic ovary syndrome (PCOS), oligo-ovulation (≤6 cycles per year), and anovulation (of hypothalamic or non-hypothalamic causes) such as functional hypothalamic amenorrhea (FHA).

Ovulation induction—See stimulated cycle.

Patient—Generally defined as the female undergoing treatment. More specifically:

—For heterosexual couples, the patient is always the female partner.

—For male same-sex couples, the male providing sperm is the patient. If both male partners or neither male partner is providing sperm, select one male to identify as the patient.

—For female same-sex couples, the patient is the female intending to carry the pregnancy. If neither female intends to carry the pregnancy (*i.e.* a gestational carrier will be used) the patient is the female providing the oocyte. If both females are providing oocytes, the patient is the youngest female providing oocytes. If neither female intends to carry the pregnancy or provide oocytes (*i.e.* donor oocytes are used with a gestational carrier), select one female to identify as the patient.

Pituitary—A small gland just beneath the hypothalamus in the brain which controls other hormone producing glands such as the ovaries, thyroid, and adrenal glands. Ovarian function is controlled through the secretion of follicle stimulating hormone (FSH) and luteinizing hormone (LH) from the pituitary.

Polar body biopsy—Polar bodies are the by-products of egg division. These cells do not serve any role for the egg or embryo and will naturally degrade; however, they can be removed and tested to determine the genetic status of the egg. Polar body testing only tests for the maternal genetic contribution to the embryo. Polar body biopsy occurs at the day 0 and/or day 1 stage. Both polar bodies must be removed and tested in order to make an accurate diagnosis.

Pregnancy test—A blood test that determines the level of human chorionic gonadotropin (hCG), a hormone produced by the placenta; if it is elevated, this confirms a pregnancy, which may be biochemical only, ectopic, or clinical intrauterine gestation (normally developing pregnancy).

Preimplantation genetic diagnosis (PGD)—Characterization of a cell or cells from pre-implanted embryos from IVF cycles to determine the presence or absence of a specific genetic defect.

Preimplantation genetic screening (PGS)—Characterization of a cell or cells from pre-implanted embryos from IVF cycles to identify genetic abnormalities.

Preterm birth—Birth at least 20 but less than 37 completed weeks of gestation. This includes both live births and stillbirths. For the purposes of reporting prior preterm births, births are counted as birth events (*e.g.* a triplet birth is counted as one).

Recipient—In an ART cycle, the woman in whom embryos or oocytes are transferred; includes the female patient or a gestational carrier for the patient.

Recurrent pregnancy loss—A disease distinct from infertility, defined by two or more failed pregnancies.

Semen—Fluid discharged at ejaculation in male.

Sperm—The male reproductive cell that has completed the process of meiosis and morphological differentiation. Sperm used for ART can be obtained using different methods:

—Ejaculation—Sperm is collected from a semen sample obtained by ejaculation, the release of semen from the penis during orgasm.

—Electroejaculation—This procedure is used in men who have a neurologic ejaculatory disorder, such as spinal cord injury or psychogenic anejaculation, without mechanical obstruction of the excurrent ductal system. This procedure involves the use of electricity to directly stimulate the ejaculatory organs.

—Epididymal aspiration—A technique in which sperm is aspirated and sampled percutaneously from the epididymis.

—Retrograde ejaculation—Ejaculation in which semen travels up the urethra towards the bladder instead of to the outside of the body. Sperm can be collected directly from the bladder or from voided urine.

—Testicular biopsy—Sperm are obtained from a biopsy of seminiferous tubules.

Sperm donor—A man providing sperm for the fertilization of oocytes of a woman other than his sexual partner.

Spontaneous abortion (miscarriage)—A clinical pregnancy ending in spontaneous loss of the entire pregnancy prior to completion of 20 weeks of gestation (or 18 weeks from the date of transfer if the pregnancy was achieved using ART).

Stillbirth—Birth (delivery) at 20 weeks of gestation or later (or 18 weeks or later from the date of transfer if the pregnancy was achieved using ART) in which no fetus showed signs of life after the complete expulsion or extraction from the mother. Stillbirths are counted as birth events (*e.g.* a triplet stillbirth is counted as one).

Stimulated cycle—An ART cycle in which a woman receives medication to stimulate follicular development including the use of clomiphene citrate, follicle stimulating hormone (FSH), or follicle stimulating hormone and luteinizing hormone (FSH and LH).

Surgical sterilization—An operative procedure for the purpose of termination of fertility. Surgical sterilization includes tubal ligation, salpingectomy,vasectomy and hysterectomy.

Thawed oocyte—Oocyte retrieved during a previous cycle, cryopreserved, and then thawed for use during the current cycle (either from the patient or donor), *i.e.,* not a fresh oocyte retrieved during the current cycle.

Thawed embryo—Embryo created during a previous cycle, cryopreserved, and then thawed for use during the current cycle (either from the patient or donor), *i.e.,* not a fresh embryo created during the current cycle. Frozen embryos can be created from either fresh or frozen eggs and sperm.

Thrombosis—Formation of a blood clot in a vessel obstructing the flow of blood through the circulatory system.

Tubal embryo transfer (TET)—Transfer of an early stage embryo to the fallopian tube.

Tubal factor—A factor causing reduced fecundity that is associated with structural, anatomic, or functional injury of one or both fallopian tubes; the following are included: (1) Tubal ligation, not reversed, (2) hydrosalpinx (in place), 3 History of hydrosalpinx (treated—by either surgical removal or hysteroscopic occlusion) and (4) any other tubal disease including but not limited to pelvic or peritubal adhesive disease, prior tubal surgery, prior ectopic pregnancy, or tubal occlusion (partial or complete without hydrosalpinx).

Tubal ligation for contraception—Sterilization of the female by constricting, severing, or crushing the fallopian tubes; constriction may be with an encircling plastic ring or other ligature.

Ultrasound—A technique for visualizing the follicles in the ovaries and the gestational sac or fetus in the uterus, allowing the estimation of size.

Unexplained infertility—Infertility in which no etiology (male infertility, endometriosis, tubal factor, ovulatory disorders/PCO, diminished ovarian reserve, uterine factor, or other factors (such as immunologic, chromosomal, cancer chemotherapy or other systemic disease) has been identified.

Unstimulated cycle—An ART cycle in which the woman does not receive medication to stimulate follicular development such as clomiphene or follicle stimulating hormone. Instead, natural follicular development occurs.

Uterine factor—A factor causing reduced fecundity that is associated with structural, anatomic, or functional injury to the uterus whether repaired or not; includes septum, myoma, Diethylstilbestrol (DES) exposure, intrauterine adhesions, congenital anomalies.

Zygote—A normal (2 pronuclei) fertilized egg before cell division begins.

Zygote intra fallopian transfer (ZIFT)—Eggs are collected and fertilized, and the resulting zygote is then transferred to the fallopian tube.

2 Pronuclei (2PN)—The earliest stage of embryonic development that occurs just after fertilization but before the nucleus from the sperm and the egg have fused (thus, 2 pronuclei are present). The appearance of two pronuclei indicates normal fertilization and is usually detected 16–20 hours after fertilization or insemination.

IV. Published Reports and Data Usage

A. Annual ART Reports

ART data are used to produce the annual Assisted Reproductive Technology Fertility Clinic Success Rates Report, a key publication available to Congress, individual clinics, consumers, the states, and the general public. This report has 3 major sections:

(a) Commonly asked questions—provides background information and an explanation of the data reporting process.

(b) Fertility clinic table—displays tabulated results of success rates for all reported ART procedures at individual U.S. fertility clinics.

(c) Appendices—contains summary of data validation; a glossary of technical and medical terms used in the report; the names, addresses, and telephone numbers of all reporting and non-reporting clinics; and a list

of national consumer organizations offering support to people experiencing infertility.

In addition, HHS/CDC publishes an annual Assisted Reproductive Technology National Summary Report using pooled data presented as graphs and charts to provide an in-depth picture of the type, number, and outcomes of ART cycles performed in the United States. HHS/CDC also uses the pooled data to publish an annual ART Surveillance Summary in HHS/CDC's Morbidity and Mortality Weekly Report (MMWR) with state-specific information on ART procedures and their outcomes. These reports are primarily used by states for state-based surveillance and to inform maternal and child health programs.

B. Data Usage and Data Access

HHS/CDC retains a copy of each reporting ART program's annual data files. In addition to the annual ART reports, the NASS database is used to evaluate emerging ART research questions and to monitor safety and efficacy issues related to ART treatment for improving maternal and child health outcomes. ART data files are protected under an Assurance of Confidentiality pursuant to Section 308(d) of the Public Health Service Act (42 U.S.C. 242[m]). This assurance allows HHS/CDC programs to assure that certain identifiable data collected on individuals and institutions involved in research or non-research projects remain confidential. Starting in 2013, researchers may analyze ART surveillance data using the National Center for Health Statistics' (NCHS) Research Data Center (RDC) under authorization of Sections 304 and 306 of the Public Health Service Act, 42 U.S.C.242(k) (See *http://www.cdc.gov/art/AccessData.html*). Researchers requesting access to the NASS data files are subject to all RDC procedures and protocols.

Dated: August 19, 2015.

Pamela J. Cox,

Director, Division of the Executive Secretariat, Office of the Chief of Staff, Centers for Disease Control and Prevention.

[FR Doc. 2015–21108 Filed 8–25–15; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Fees for Sanitation Inspections of Cruise Ships

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: General Notice.

SUMMARY: The Centers for Disease Control and Prevention (CDC), located within the Department of Health and Human Services (HHS) announces fees for vessel sanitation inspections for Fiscal Year (FY) 2016. These inspections are conducted by HHS/CDC's Vessel Sanitation Program (VSP). VSP helps the cruise line industry fulfill its responsibility for developing and implementing comprehensive sanitation programs to minimize the risk for acute gastroenteritis. Every vessel that has a foreign itinerary and carries 13 or more passengers is subject to twice-yearly unannounced inspections and, when necessary, reinspection.

DATES: These fees are effective October 1, 2015, through September 30, 2016.

FOR FURTHER INFORMATION CONTACT: CAPT Jaret T. Ames, Chief, Vessel Sanitation Program, National Center for Environmental Health, Centers for Disease Control and Prevention, 4770 Buford Highway NE., MS F–59, Atlanta, Georgia 30341–3717; phone: 800–323–2132, 770–488–3141, or 954–356–6650; email: *vsp@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Purpose and Background

HHS/CDC established the Vessel Sanitation Program (VSP) in the 1970s as a cooperative activity with the cruise ship industry. VSP helps the cruise ship industry prevent and control the introduction, transmission, and spread of gastrointestinal illnesses on cruise ships. VSP operates under the authority of the Public Health Service Act (Section 361 of the Public Health Service Act; 42 U.S.C. 264, ''Control of Communicable Diseases''). Regulations found at 42 CFR 71.41 (Foreign Quarantine—Requirements Upon Arrival at U.S. Ports: Sanitary Inspection; General Provisions) state that carriers arriving at U.S. ports from foreign areas are subject to sanitary inspections to determine whether rodent, insect, or other vermin infestations exist, contaminated food or water, or other sanitary conditions requiring measures for the prevention of the introduction, transmission, or spread of communicable diseases are present.

The fee schedule for sanitation inspections of passenger cruise ships by VSP was first published in the **Federal Register** on November 24, 1987 (52 FR 45019). HHS/CDC began collecting fees on March 1, 1988. This notice announces fees that are effective for FY 2016, beginning on October 1, 2015, through September 30, 2016.

The following formula will be used to determine the fees:

$$Average\ cost\ per\ inspection = \frac{Total\ cost\ of\ VSP}{Weighted\ number\ of\ annual\ inspections}$$

The average cost per inspection is multiplied by size and cost factors to determine the fee for vessels in each size category. The size and cost factors were established in the fee schedule published in the **Federal Register** on July 17, 1987 (52 FR 27060). The fee schedule was most recently published in the **Federal Register** on July 31, 2014 (79 FR 44454). The size and cost factors for FY 2016 are presented in Appendix A.

Fee

The fee schedule (Appendix A) will be effective October 1, 2015, through September 30, 2016.

Applicability

The fees will apply to all passenger cruise vessels for which inspections are conducted as part of HHS/CDC's VSP. Inspections and reinspections involve the same procedures, require the same amount of time, and are therefore charged at the same rates.

Appendix A

SIZE/COST FACTORS USED TO DETERMINE INSPECTION FEES

Vessel size (GRT [1])	Approximate cost per GRT [1]
Extra Small (<3,001 GRT)	US$0.25
Small (3,001–15,000 GRT)	0.50
Medium (15,001–30,000 GRT)	1.00
Large (30,001–60,000 GRT)	1.50
Extra Large (60,001–120,000 GRT)	2.00
Mega (>120,001 GRT)	3.00

FEE SCHEDULE FOR EACH VESSEL SIZE

Vessel size (GRT [1])	Inspection fee
Extra Small (<3,000 GRT)	US$1,495
Small (3,001–15,000 GRT)	2,990
Medium (15,001–30,000 GRT)	5,980
Large (30,001–60,000 GRT)	8,970
Extra Large (60,001–120,000 GRT)	11,960
Mega (>120,001 GRT)	17,940

[1] Gross register tonnage in cubic feet, as shown in Lloyd's Register of Shipping.

Dated: August 19, 2015.

Pamela J. Cox,

Director, Division of the Executive Secretariat, Office of the Chief of Staff, Centers for Disease Control and Prevention.

[FR Doc. 2015–21107 Filed 8–25–15; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects:

Title: State Self-Assessment Review and Report.

OMB No.: 0970–0223.

Description: Section 454(15)(A) of the Social Security Act, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, requires each State to annually assess the performance of its child support enforcement program in accordance with standards specified by the Secretary of the Department of Health and Human Services, and to provide a report of the findings to the Secretary. This information is required to determine if States are complying with Federal child support mandates and providing the best services possible. The report is also intended to be used as a management tool to help States evaluate their programs and assess performance.

Respondents: State Child Support Enforcement Agencies or the Department/Agency/Bureau responsible for Child Support Enforcement in each State.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Self-assessment report	54	1	4	216

Estimated Total Annual Burden Hours: 216.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L'Enfant Promenade SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. Email address: *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2015–21053 Filed 8–25–15; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2012–N–0110]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Medical Device Reporting: Manufacturer, Importer, User Facility, and Distributor Reporting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by September 25, 2015.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0437. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 8455 Colesville Rd., COLE–14526, Silver Spring, MD 20993–0002, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Medical Device Reporting: Manufacturer, Importer, User Facility, and Distributor Reporting (21 CFR Part 803)—(OMB Control Number 0910–0437)—Revision

Section 519(a)(1) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act)

(21 U.S.C. 360i(a)(1)) requires every manufacturer or importer to report whenever the manufacturer or importer receives or otherwise becomes aware of information that reasonably suggests that one of its marketed devices may have caused or contributed to a death or serious injury or has malfunctioned and that such device or a similar device marketed by the manufacturer or importer would be likely to cause or contribute to a death or serious injury if the malfunction were to recur.

Section 519(b)(1)(A) of the FD&C Act requires whenever a device user facility receives or otherwise becomes aware of information that reasonably suggests that a device has or may have caused or contributed to the death or serious illness, of a patient of the facility, the facility shall, as soon as practicable but not later than 10 working days after becoming aware of the information, report the information to the Secretary of HHS and, if the identity of the manufacturer is known, to the manufacturer of the device.

Section 519(b)(1)(B) of the FD&C Act requires whenever a device user facility receives or otherwise becomes aware of information that reasonably suggests that a device has or may have caused or contributed to the serious illness of, or serious injury to, a patient of the facility, shall, as soon as practicable but not later than 10 working days after becoming aware of the information, report the information to the manufacturer of the device or to the Secretary of HHS if the identity of the manufacturer is not known.

Complete, accurate, and timely adverse event information is necessary for the identification of emerging device problems. Information from these reports will be used to evaluate risks associated with medical devices which will enable FDA to take appropriate regulatory measures in protection of the public health under section 519 of the FD&C Act. Thus FDA is requesting approval for these information collection requirements which are being implemented under part 803 (21 CFR part 803).

Respondents to this collection of information are businesses or other for-profit and nonprofit organizations including user facilities, manufacturers, and importers of medical devices.

Part 803 requires user facilities to report to the device manufacturer and to FDA in case of a death, incidents where a medical device caused or contributed to a death or serious injury. Additionally, user facilities are required to annually submit the number and summary of adverse events reported during the calendar year using Form FDA 3419. Manufacturers of medical devices are required to report to FDA when they become aware of information indicating that one of their devices may have caused or contributed to death or serious injury or has malfunctioned in such a way, that should the malfunction recur, it would be likely to cause or contribute to a death or serious injury. Device importers report deaths and serious injuries to the manufacturers and FDA. Importers report malfunctions only to the manufacturers, unless they are unknown, then the reports are sent to FDA.

The number of respondents for each Code of Federal Regulations (CFR) section in table 1 is based upon the number of respondents entered into FDA's internal databases. FDA estimates, based on its experience and interaction with the medical device community, that all reporting CFR sections are expected to take 1 hour to complete, with the exception of § 803.19. Section 803.19 is expected to take approximately 3 hours to complete, but is only required for reporting the summarized data quarterly to FDA. By summarizing events, the total time used to report for this section is reduced because the respondents do not submit a full report for each event they report in a quarterly summary report.

The Agency believes that the majority of manufacturers, user facilities, and importers have already established written procedures to document complaints and information to meet the medical device reporting (MDR) requirements as part of their internal quality control system. There are an estimated 30,000 medical device distributors. Although they do not submit MDR reports, they must maintain records of complaints under § 803.18(d).

The Agency has estimated that on average 220 user facilities, importers, and manufacturers would annually be required to establish new procedures, or revise existing procedures, in order to comply with this provision.

Therefore, FDA estimates the one-time burden to respondents for establishing or revising procedures under § 803.17 to be 6,006 hours (1,820 respondents × 3.3 hours). For those entities, a one-time burden of 3.3 hours is estimated for establishing written MDR procedures. The remaining manufacturers, user facilities, and importers, not required to revise their written procedures to comply with this provision, are excluded from the burden because the recordkeeping activities needed to comply with this provision are considered ''usual and customary'' under 5 CFR 1320.3(b)(2).

Under § 803.18, 1,820 respondents represent distributors, importers, and other respondents to this information collection. FDA estimates that it should take them approximately 1.5 hours to complete the recordkeeping requirement for this section. Total hours for this section equal 2,730 hours.

Reporting Requirements

Part 803 requires user facilities to report incidents where a medical device caused or contributed a death or serious injury to the device manufacturer and to FDA in the case of a death. Manufacturers of medical devices are required to report to FDA when they become aware of information indicating that one of their devices may have caused or contributed to death or serious injury or has malfunctioned in such a way that, should the malfunction recur, it would be likely to cause or contribute to a death or serious injury. Device importers report deaths and serious injuries to the manufacturers and FDA. Importers report malfunctions only to the manufacturers (see third-party disclosure burden table), unless the manufacturers are unknown, then the reports are sent to FDA.

FDA estimates are based on our experience and interaction with the medical device community and burden analysis from the rulemaking. Section 803.19 is expected to take approximately 1 hour to complete, but is only required to report the summarized data quarterly to FDA. By summarizing events, the total time used to report for this section is reduced because the respondents do not submit a full report for each event they report in a quarterly summary report.

Recordkeeping Requirements

The Agency believes that the majority of manufacturers, user facilities, and importers have already established written procedures to document complaints and information to meet the MDR requirements as part of their internal quality control system. The Agency has estimated that on average, 1,820 user facilities, importers, and manufacturers would annually be required, under § 803.17, to establish new procedures, or revise existing procedures, in order to comply with this provision. We estimate that it will take each respondent 3.3 hours annually to establish new procedures, or revise existing procedures. We estimate that it will take each respondent 1.5 hours annually to maintain the records.

Third-Party Disclosure Burden

Under §§ 803.40 and 803.42, device importers report deaths and serious

injuries to the manufacturers and FDA. Importers report malfunctions only to the manufacturers, unless they are unknown, then the reports are sent to FDA. We estimate that it will take respondents 0.35 hours annually to report the information.

In the **Federal Register** of May 07, 2015 (80 FR 26278), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received. However, since the 60-day notice, we have updated the burden estimates to reflect revisions made by the final rule, ''Medical Device Reporting: Electronic Submission Requirements,'' which became effective August 14, 2015.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

21 CFR Section	FDA Form No.	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Exemptions—803.19		56	4	224	1	224
User Facility Reporting—803.30 and 803.32		520	7	3,640	0.35	1,274
User Facility Annual Reporting—803.33	3419	520	1	520	1	520
Importer Reporting, Death and Serious Injury—803.40 and 803.42		1	1	1	1	1
Manufacturer Reporting—803.50, through 803.53		1,240	204	252,960	0.10	25,296
Supplemental Reports—803.56		1,050	94	98,700	0.10	9,870
Total						37,185

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR Section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
MDR Procedures—803.17	1,820	1	1,820	3.3	6,006
MDR Files—803.18	1,820	1	1,820	1.5	2,730
Total					47,200

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 3—ESTIMATED ANNUAL THIRD-PARTY DISCLOSURE BURDEN [1]

21 CFR Section	Number of respondents	Number of disclosures per respondent	Total annual disclosures	Average burden per disclosure	Total hours
Importer Reporting, Malfunctions—803.40 and 803.42	60	25	1,500	0.35	525

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: August 20, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–21036 Filed 8–25–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–D–2537]

Request for Quality Metrics; Notice of Draft Guidance Availability and Public Meeting; Request for Comments; Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of draft guidance availability and public meeting; request for comments; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is extending the comment period for the notice of draft guidance availability and public meeting that appeared in the **Federal Register** of July 28, 2015, and August 7, 2015. In the notice of draft guidance availability and public meeting, FDA requested comments on a number of specific questions identified in the document. The Agency is taking this action in response to requests for an extension to allow interested persons additional time to submit comments.

DATES: FDA is extending the comment period on the notice of draft guidance availability and public meeting published July 28, 2015 (80 FR 44973) and August 7, 2015 (80 FR 47493). Submit either electronic or written comments by November 27, 2015.

ADDRESSES: You may submit comments by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

Written Submissions

Submit written submissions in the following ways:

- *Mail/Hand delivery/Courier (for paper submissions)*: Division of Dockets Management (HFA–305), Food and Drug

Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Instructions: All submissions received must include the Docket No. (FDA–2015–D–2537) for this notice of draft guidance availability and public meeting. All comments received may be posted without change to *http://www.regulations.gov,* including any personal information provided. For additional information on submitting comments, see the ''Request for Comments'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Lesley DeRenzo, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 5161, Silver Spring, MD 20993–0002, 240–402–4612.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of July 28, 2015, and August 7, 2015, FDA published a notice of draft guidance availability and public meeting with a 60-day comment period and requested comments on a number of specific questions identified throughout the document. Comments on the notice of draft guidance availability and public meeting will inform FDA's development and planned implementation of a quality metrics program launched under the authority of the Federal Food, Drug, and Cosmetic Act.

FDA is extending the comment period for an additional 60 days, until November 27, 2015. The Agency believes that an additional 60-day extension of the comment period for the notice of draft guidance availability and public meeting will allow adequate time for interested persons to submit comments without significantly delaying Agency decisionmaking on these important issues.

II. Request for Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). You should annotate and organize your comments to identify the specific questions or topic to which they refer. It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.*

Dated: August 21, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–21149 Filed 8–25–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–N–2919]

In Vitro Diagnostic Testing for Direct Oral Anticoagulants; Public Workshop; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public workshop; request for comments.

The Food and Drug Administration (FDA) is announcing a public workshop entitled ''In Vitro Diagnostic Testing for Direct Oral Anticoagulants''. The objective of the workshop is to gain public input and to discuss analytical performance requirements for the diagnostic assessment of direct oral anticoagulants (DOACs) and the clinical circumstances under which patients receiving these agents would require testing. Specifically, this workshop aims to do the following: (1) Evaluate the impact of DOACs on traditional coagulation testing results; (2) identify clinical circumstances where testing of DOACs anticoagulant activity or concentration would be relevant; (3) discuss clinically meaningful interpretation of coagulation testing results for patients on DOACs; and (4) review the regulatory requirements for granting clearance for in vitro diagnostic devices intended for coagulation testing in patients treated with DOACs.

Date and Time: The public workshop will be held on October 26, 2015, from 9 a.m. to 5 p.m.

Location: The public workshop will be held at FDA's White Oak Campus, 10903 New Hampshire Ave., Bldg. 31 Conference Center, the Great Room (Rm. 1503), Silver Spring, MD 20993–0002. Entrance for the public meeting participants (non-FDA employees) is through Building 1 where routine security check procedures will be performed. For parking and security information, please refer to: *http://www.fda.gov/AboutFDA/WorkingatFDA/BuildingsandFacilities/WhiteOakCampusInformation/ucm241740.htm.*

Contact Person: Claudia Dollins, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66 Rm. 5262, Silver Spring, MD 20993–0002, 301–796–4807, *Claudia.Dollins@fda.hhs.gov.*

Registration: Registration is free and available on a first-come, first-served basis. Persons interested in attending this public workshop must register online by 4 p.m., October 16, 2015. Early registration is recommended because facilities are limited and, therefore, FDA may limit the number of participants from each organization. If time and space permits, onsite registration on the day of the public workshop will be provided beginning at 8 a.m.

Contact for Special Accommodations: If you need special accommodations due to a disability, please contact Susan Monahan, Center for Devices and Radiological Health, Office of Communication and Education, 301–796–5661, *susan.monahan@fda.hhs.gov* no later than October 9, 2015.

To register for the public workshop, please visit FDA's Medical Devices News & Events—Workshops & Conferences calendar at *http://www.fda.gov/MedicalDevices/NewsEvents/WorkshopsConferences/default.htm.* (Select this public workshop from the posted events list.) Please provide complete contact information for each attendee, including name, title, affiliation, email, and telephone number. Those without Internet access should contact Susan Monahan to register (see *Contact for Special Accommodations*). Registrants will receive confirmation after they have been accepted. You will be notified if you are on a waiting list.

Streaming Webcast of the Public Workshop: This public workshop will also be Webcast. Persons interested in viewing the Webcast must register online by October 16, 2015. Early registration is recommended because Webcast connections are limited. Organizations are requested to register all participants, but to view using one connection per location. Webcast participants will be sent technical system requirements after registration and will be sent connection access information after October 20, 2015. If you have never attended a Connect Pro

event before, test your connection at *https://collaboration.fda.gov/common/help/en/support/meeting_test.htm.* To get a quick overview of the Connect Pro program, visit *http://www.adobe.com/go/connectpro_overview.* (FDA has verified the Web site addresses in this document, but FDA is not responsible for any subsequent changes to the Web sites after this document publishes in the **Federal Register**).

Comments: FDA is holding this public workshop to obtain information on in vitro diagnostic testing for direct oral anticoagulants. In order to permit the widest possible opportunity to obtain public comment, FDA is soliciting either electronic or written comments on all aspects of the public workshop topics. The deadline for submitting comments related to the public workshop is November 25, 2015.

Regardless of attendance at the public workshop, interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. 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. In addition, when responding to specific questions as outlined in section II of this document, please identify the question you are addressing. 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.*

Transcripts: Please be advised that as soon as a transcript is available, it will be accessible at *http://www.regulations.gov.* It may be viewed at the Division of Dockets Management (see *Comments*). A transcript will also be available in either hardcopy or on CD–ROM, after submission of a Freedom of Information request. The Freedom of Information office address is available on the Agency's Web site at *http://www.fda.gov.* A link to the transcripts will also be available approximately 45 days after the public workshop on the Internet at *http://www.fda.gov/MedicalDevices/NewsEvents/WorkshopsConferences/default.htm.* (Select this public workshop from the posted events list).

SUPPLEMENTARY INFORMATION:

I. Background

Coagulation is the process of forming a clot to stop bleeding. Blood clotting is initiated by injury to a blood vessel resulting in the exposure of various proteins on the inner surface of the vessels. These proteins trigger the serial activation of coagulation factors that make up the coagulation cascade that culminates in the formation of the insoluble clot.

Although immediate clot formation is critical to prevent severe blood loss, excessive clot formation outside of wound healing obstructs blood flow and poses serious medical consequences. To prevent unwanted coagulation, a number of anticoagulant drugs have been developed. Historically, anticoagulation drug therapy was limited to the administration of non-specific anticoagulants, such as heparin or vitamin K antagonists, that act by inhibiting the coagulation cascade at several points. Although effective, these anticoagulants have numerous drawbacks, such as delayed onset and offset of action, a narrow therapeutic window, and interactions with food and drugs that necessitate frequent monitoring and dose adjustments. Several tests have been cleared for monitoring of patients undergoing vitamin K antagonist therapy.

A new class of DOACs has been developed in the last decade to overcome limitations of traditional anticoagulants. Thus far, FDA has approved four DOACs: PRAXADA (dabigatran), XARELTO (rivaroxiban), ELIQUIS (apixaban), and SAVAYSA (edoxaban). DOAC therapy creates a need for coagulation testing, which in turn poses new challenges.

Currently there are no FDA cleared devices for the characterization of DOAC effects on coagulation. Differences in individual responses to the drugs require laboratories to develop unique testing schemes to assess a patient's coagulation status while on DOAC regimens. Thus, the first aim of this workshop is to discuss the effect of DOACs on traditional coagulation test methods currently on the market and the impact these effects may have on patient management.

We will also examine clinical scenarios that would warrant DOAC testing. Instructions for coagulation monitoring as required for vitamin K antagonists are not specified in DOAC's instructions for use. However, in certain clinical settings assessment of DOAC-induced anticoagulation may be advantageous. The second aim of the workshop will focus on medical conditions that require coagulation testing of patients taking DOACs.

There are a limited number of strategies to assess coagulation in patients taking DOACs. We will review options for quantitative and qualitative determination of the drug effects and discuss problems related to interpretation of results. Also, we will consider the corresponding analytical performance criteria of DOAC testing required to provide reliable and informative test results.

Thus, the Center for Devices and Radiological Health plans to provide an overview of the scientific, clinical, and regulatory challenges that need to be addressed to ultimately support the development of in vitro testing for patients on DOAC regimens that would translate into clinically meaningful results.

II. Topics for Discussion at the Public Workshop

The public workshop seeks to involve industry and academia in addressing analytical performance requirements for the diagnostic assessment of DOACs. Furthermore, the workshop aims to focus on the clinical circumstances under which patients receiving these agents would require testing, including but not limited to, the following topic areas:

1. Overview of the effects of DOACs on traditional coagulation tests;
2. identification of clinical scenarios that necessitate DOAC testing;
3. interpretation of coagulation testing results for patients on DOACs; and
4. considerations for regulatory review of devices assessing the effect of DOACs on coagulation.

Dated: August 20, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–21095 Filed 8–25–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Meeting on American Indian/Alaska Native Lesbian, Gay, Bisexual, and Transgender Health Issues

AGENCY: Indian Health Service.

ACTION: Notice of meeting.

SUMMARY: The Indian Health Service (IHS) is continuing to seek broad public input as it continues efforts to advance and promote the health needs of the American Indian/Alaska Native (AI/AN) Lesbian, Gay, Bisexual, and Transgender (LGBT) community.

DATES: The meeting will be held as shown below:

1. September 11, 2015 from 12:00 p.m. EST to 2:00 p.m. EST.

ADDRESSES: The meeting location is:

1. Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201.

Written statements may be submitted to Lisa Neel, MPH, Program Coordinator, Office of Clinical and Preventive Services, Indian Health Service, 801 Thompson Avenue, Suite 300, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Lisa Neel, MPH, Program Coordinator, Office of Clinical and Preventive Services, Indian Health Service, 801 Thompson Avenue, Suite 300, Rockville, MD 20852, Telephone 301–443–4305. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The meeting will be open to the public. To facilitate the building security process, those who plan to attend should RSVP to Lisa Neel at *lisa.neel@ihs.gov* or by telephone at 301–443–4305 no later than 5:00 p.m. EST on August 31, 2015. (This is not a toll-free number.) Public attendance will be limited to the space available. Members of the public may make statements during the meeting to the extent time permits and file written statements with the Agency for its consideration. Written statements should be submitted to the address listed above.

Dated: August 19, 2015.

Robert G. McSwain,

Deputy Director, Indian Health Service.

[FR Doc. 2015–21068 Filed 8–25–15; 8:45 am]

BILLING CODE 4165–16–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; Clinical Trial Review.

Date: September 22, 2015.

Time: 11:30 a.m. to 12:30 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: Shiguang Yang, DVM, Ph.D., Scientific Review Officer, Division of Extramural Activities, NIDCD, NIH, 6001 Executive Blvd., Room 8349, Bethesda, MD 20892, 301–496–8683, *yangshi@nidcd.nih.gov.*

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel—Fellowships—Chemical Senses.

Date: October 1, 2015.

Time: 11:00 a.m. to 1:00 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: Shiguang Yang, DVM, Ph.D., Scientific Review Officer, Division of Extramural Activities, NIDCD, NIH, 6001 Executive Blvd., Room 8349, Bethesda, MD 20892, 301–496–8683, *yangshi@nidcd.nih.gov.*

Name of Committee: Communication Disorders Review Committee.

Date: October 15–16, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Crowne Plaza Chicago Metro Downtown, 733 West Madison, Chicago, IL 60661.

Contact Person: Eliane Lazar-Wesley, Scientific Review Officer, Division of Extramural Activities, National Institute on Deafness and Other Communication Disorders/NIH, 6001 Executive Blvd., MSC 9670, Bethesda, MD 20892–8401, 301–496–8683, *el6r@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: August 21, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–21142 Filed 8–25–15; 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, Shared Mass Spectrometers.

Date: September 17–18, 2015.

Time: 8:00 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: David R Jollie, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4150, MSC 7806, Bethesda, MD 20892, (301) 435–1722, *jollieda@csr.nih.gov.*

Name of Committee: Immunology Integrated Review Group, Transplantation, Tolerance, and Tumor Immunology Study Section.

Date: October 1–2, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Washington Plaza Hotel, 10 Thomas Circle NW., Washington, DC 20005.

Contact Person: Jin Huang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4199, MSC 7812, Bethesda, MD 20892, 301–435–1230, *jh377p@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: August 21, 2015.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–21152 Filed 8–25–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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 Frederick National Laboratory Advisory Committee to the National Cancer Institute.

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. The meeting will also be videocast and can be accessed from the NIH Videocasting and Podcasting Web site (*http://videocast.nih.gov/*).

Name of Committee: Frederick National Laboratory Advisory Committee to the National Cancer Institute.

Date: September 30, 2015.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: Ongoing and new activities at the Frederick National Laboratory for Cancer Research.

Place: National Institutes of Health, 31 Center Drive, Building 31, Wing C, 6th Floor, Conference Room 10, Bethesda, MD 20892.

Contact Person: Peter L. Wirth, Ph.D., Acting Executive Secretary, National Cancer Institute, National Institutes of Health, 9609 Medical Center Drive, Room 7W–514, Bethesda, MD 20892, 240–276–6434, *wirthp@mail.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *http://deainfo.nci.nih.gov/advisory/fac/fac.htm,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: August 21, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–21140 Filed 8–25–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel; NCI Omnibus R21 & R03 SEP–2.

Date: October 5–6, 2015.

Time: 8:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Ritz-Carlton, Tysons Corner, 1700 Tysons Boulevard, McLean, VA 22102.

Contact Person: Eun Ah Cho, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W104, Bethesda, MD 20892–9750, 240–276–6342, *choe@mail.nih.gov.*

Name of Committee: National Cancer Institute Initial Review Group; NCI Subcommittee F-Institutional Training and Education.

Date: October 19–20, 2015.

Time: 7:30 p.m. to 3:45 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda Downtown, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Timothy C. Meeker, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W606, Bethesda, MD 20892–9750, 240–276–6464, *meekert@mail.nih.gov.*

Name of Committee: National Cancer Institute Initial Review Group; Subcommittee J-Career Development.

Date: November 4, 2015.

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: Robert E. Bird, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W110, Bethesda, MD 20892–9750, 240–276–6344, *birdr@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: August 21, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–21141 Filed 8–25–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; Mitochondria, Antioxidants and Aging I.

Date: September 22, 2015.

Time: 2:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Bita Nakhai, Ph.D., Scientific Review Branch, National Institute on Aging, Gateway Bldg., 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20814, 301–402–7701, *nakhaib@nia.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: August 21, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–21139 Filed 8–25–15; 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 PAR14–262: Weight and Sleep Outcomes After Bariatric Surgery.

Date: September 17, 2015.

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, (Telephone Conference Call).

Contact Person: Ellen K Schwartz, EDD., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3144, MSC 7770, Bethesda, MD 20892, 301–828–6146, *schwarel@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel PAR Panel: Targeting Temporal Dynamics of the Brain Activity for the Treatment of Cognitive Deficits.

Date: September 29, 2015.

Time: 10:30 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Wei-Qin Zhao, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5181 MSC 7846, Bethesda, MD 20892–7846, 301–435–1236, *zhaow@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: August 21, 2015.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–21153 Filed 8–25–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Best Pharmaceuticals for Children Act (BPCA) Priority List of Needs in Pediatric Therapeutics

AGENCY: National Institutes of Health, The *Eunice Kennedy Shriver* National Institute of Child Health and Human Development (NICHD).

ACTION: Notice.

SUMMARY: The National Institutes of Health (NIH) hereby announces the Best Pharmaceuticals for Children Act (BPCA) Priority List of Needs in Pediatric Therapeutics for 2015. The Best Pharmaceuticals for Children Act (BPCA) seeks to improve the level of information on the safe and effective use of pharmaceuticals used to treat children. The BPCA requires that the NIH identify the drugs of highest priority for study in pediatric populations, and publish a list of drugs/needs in pediatric therapeutics. This notice fulfills the requirement to publish that list.

ADDRESSES: All nominations of pediatric therapeutics for future consideration by NICHD should be submitted to Dr. Perdita Taylor-Zapata at *taylorpe@mail.nih.gov.*

FOR FURTHER INFORMATION CONTACT: Dr. Perdita Taylor-Zapata via email at *taylorpe@mail.nih.gov;* by phone at 301–496–9584; or by fax at 301–480–2897.

SUPPLEMENTARY INFORMATION: The pediatric medical community, the public health community, and government agencies have long recognized multiple gaps in knowledge regarding the use of therapeutics in children including the correct dosage, appropriate indications, side effects, and safety concerns of pharmaceuticals in the short- and long term. These gaps have frequently resulted in inadequate labeling for pediatric use and in widespread off-label use of prescription drugs in children. Off-label use of a drug substantially limits the ability to gain clinical information of the drug product such as appropriate dosing of a drug, changes in drug metabolism and response during growth and development, and important short- and long-term effects.

The NICHD, the Food and Drug Administration (FDA), other federal agencies, and various non-profit and commercial organizations are taking steps to fill knowledge gaps that exist in pediatric therapeutics and to promote an increase in evidence-based data about medications used in children.

Update on BPCA Prioritization

The BPCA requires that the NIH, in consultation with the Food and Drug Administration and experts in pediatric research, identify the drugs and therapeutic areas of highest priority for study in pediatric populations. The NIH's authority and responsibility outlined in the BPCA legislation is to establish a program for pediatric drug testing and development and to publish a list of information needs regarding drugs used to treat children. The drug development program consists of a series of clinical trials in various therapeutic areas, which may be based on proposed pediatric study requests (PPSRs) submitted to FDA and/or from written requests (WR) received from the FDA. The BPCA Priority List consists of key therapeutic needs in the medical treatment of children and adolescents identified for further study; it is organized by therapeutic area, which can be a group of conditions, a subgroup of the population, or a setting of care. The first priority list of off-patent drugs needing further study under the 2002 BPCA legislation was published in January 2003 in the **Federal Register** (FR Vol. 68, No. 13; Tuesday, January 21, 2003: 2789–2790). The most recent priority list was published August 25, 2014; all **Federal Register** notices can be found on the BPCA Web site: *http://bpca.nichd.nih.gov/prioritization/status.cfm.* The BPCA legislation requires the NIH to update the priority list every three years. This publication serves as an update to the BPCA priority list of needs in pediatric therapeutics.

The Obstetric and Pediatric Pharmacology and Therapeutics Branch of the *Eunice Kennedy Shriver* National Institute of Child Health and Human Development (NICHD), NIH, has developed a prioritization process for the determination of the needs in pediatric therapeutics. There are two main phases: Phase I of the prioritization process entails identifying therapeutic areas, which are general categories of conditions, diseases, settings of care, or populations with multiple therapeutic needs. The NICHD solicits input from experts in pediatric research, general pediatric and subspecialty care, organizations focused on specific conditions, and professional societies to determine these therapeutic areas that need further study. Each year, the NICHD revisits the current list of needs in pediatric therapeutics, prioritizes three therapeutic areas of interests for that calendar year, and develops working groups in the

prioritized areas. Recommendations from these working groups are then presented to the NICHD and the FDA at the annual BPCA meeting. Previous meeting minutes can be found on the BPCA Web site: *http://bpca.nichd.nih.gov/prioritization/meeting_summary.cfm.* Phase II of the prioritization process includes an extensive review and ranking of all stakeholder nominations received based on key criteria for prioritization, such as relevance, gaps in labeling information, affected populations and feasibility. Please visit the BPCA Web site for more details (*http://bpca.nichd.nih.gov/prioritization/priority_list.cfm*).

Below is an updated list of therapeutic areas and drugs that have been prioritized for study since the inception of the BPCA and a summary of the NICHD's plans and progress in all of these areas to date. The NICHD welcomes input from the pediatric medical community on additional gaps in pediatric therapeutics for future consideration. All nominations should be submitted to Dr. Perdita Taylor-Zapata at the address in the **ADDRESSES** section of this notice.

Priority List of Needs in Pediatric Therapeutics 2015

In accordance with the BPCA legislation, the list outlines priority needs in pediatric therapeutics for multiple therapeutic areas listed below. The complete list can be found on the BPCA Web site at the following address: *http://bpca.nichd.nih.gov.*

- *Table 1: Infectious Disease Priorities*
- *Table 2: Cardiovascular Disease Priorities*
- *Table 3: Respiratory Disease Priorities*
- *Table 4: Intensive Care Priorities*
- *Table 5: Bio-defense Research Priorities*
- *Table 6: Pediatric Cancer Priorities*
- *Table 7: Psychiatric Disorder Priorities*
- *Table 8: Neurological Disease Priorities*
- *Table 9: Neonatal Research Priorities*
- *Table 10: Adolescent Research Priorities*
- *Table 11: Hematologic Disease Priorities*
- *Table 12: Endocrine Disease Priorities and Diseases with Limited Alternative Therapies*
- *Table 13: Dermatologic Disease Priorities*
- *Table 14: Gastrointestinal Disease Priorities*
- *Table 15: Renal Disease Priorities*
- *Table 16: Rheumatologic Disease Priorities*
- *Table 17: Special Considerations.*

Dated: August 19, 2015.

Francis S. Collins, M.D.,

Director, National Institutes of Health.

[FR Doc. 2015–21155 Filed 8–25–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS–2015–0042]

National Infrastructure Advisory Council

AGENCY: National Protection and Programs Directorate, DHS.

ACTION: Committee Management; Notice of an Open Federal Advisory Committee Meeting.

SUMMARY: The National Infrastructure Advisory Council will meet Friday, September 11, 2015, at the Navy League Building, 2300 Wilson Blvd. Arlington, VA 22201. This meeting will be open to the public.

DATES: The National Infrastructure Advisory Council will meet on September 11, 2015 from 1:30 p.m.–4:30 p.m. EDT. The meeting may close early if the committee has completed its business. For additional information, please consult the National Infrastructure Advisory Council Web site, *www.dhs.gov/NIAC,* or contact the National Infrastructure Advisory Council Secretariat by phone at (703) 235–2888 or by email at *NIAC@hq.dhs.gov.*

ADDRESSES: Navy League Building, 2300 Wilson Blvd. Arlington, VA 22201. Members of the public will register at the table at the door to the meeting room. For information on facilities or services for individuals with disabilities, or to request special assistance at the meeting, contact the person listed under **FOR FURTHER INFORMATION CONTACT** below as soon as possible.

To facilitate public participation, we are inviting public comment on the issues to be considered by the Council as listed in the ''Summary'' section below. Comments must be submitted in writing no later than 12:00 p.m. on September 9, 2015, in order to be considered by the council in its meeting. The comments must be identified by ''DHS–2015–0042,'' and may be submitted by any *one* of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting written comments.
- *Email: NIAC@hq.dhs.gov.* Include the docket number in the subject line of the message.
- *Fax:* (703) 235–9707.
- *Mail:* Nancy Wong, National Protection and Programs Directorate, Department of Homeland Security, 245 Murray Lane SW., Mail Stop 0612, Washington, DC 20598–0607.

Instructions: All written submissions received must include the words ''Department of Homeland Security'' and the docket number for this action. Written comments received will be posted without alteration at *www.regulations.gov,* including any personal information provided.

Docket: For access to the docket to read background documents or comments received by the National Infrastructure Advisory Council, go to *www.regulations.gov.* Enter ''NIAC'' in the search line and the Web site will list all relevant documents for your review.

Members of the public will have an opportunity to provide oral comments on the topics on the meeting agenda below, and on any previous studies issued by the National Infrastructure Advisory Council. We request that comments be limited to the issues and studies listed in the meeting agenda and previous National Infrastructure Advisory Council studies. All previous National Infrastructure Advisory Council studies can be located at *www.dhs.gov/NIAC.* Public comments may be submitted in writing or presented in person for the Council to consider. Comments received by Nancy Wong after 12:00 p.m. on September 9, 2015, will still be accepted and reviewed by the members, but not necessarily by the time of the meeting. In-person presentations will be limited to three minutes per speaker, with no more than 15 minutes for all speakers. Parties interested in making in-person comments should register on the Public Comment Registration list available at the meeting location no later than 15 minutes prior to the beginning of the meeting.

FOR FURTHER INFORMATION CONTACT: Nancy Wong, National Infrastructure Advisory Council, Designated Federal Officer, Department of Homeland Security, (703) 235–2888.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given under the Federal Advisory Committee Act, 5 U.S.C. Appendix. The National Infrastructure Advisory Council shall provide the President, through the Secretary of Homeland Security, with advice on the security and resilience of the Nation's critical infrastructure sectors.The NIAC will meet to discuss issues relevant to

critical infrastructure security and resilience as directed by the President.

The meeting will commence at 1:30 p.m. EDT. At this meeting, the council will receive unclassified briefings on water resources and water supply, urban storm water, and wastewater. The council will discuss and deliberate the scope and approach to a tasking from the Administration on the Water Sector.

All presentations will be posted no later than one week prior to the meeting on the council's public Web page—*www.dhs.gov/NIAC.*

Public Meeting Agenda

I. Opening of Meeting
II. Roll Call of Members
III. Opening Remarks and Introductions
IV. Approval of Meeting Minutes
V. Water Resources and Water Supply Briefing
VI. Urban Storm Water Briefing
VII. Wastewater Briefing
VIII. Public Comment
IX. *Discussion and Deliberation on Scope of Water Sector Topic of Study*
X. Closing Remarks

Dated: Augsut 20, 2015.

Nancy J. Wong,

Designated Federal Officer for the National Infrastructure Advisory Council.

[FR Doc. 2015–21138 Filed 8–25–15; 8:45 am]

BILLING CODE 9110–9P–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–FHC–2015–N168; FXFR1334088TWG0W4–123–FF08EACT00]

Trinity River Adaptive Management Working Group; Public Meeting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce a public meeting of the Trinity River Adaptive Management Working Group (TAMWG). The TAMWG is a Federal advisory committee that affords stakeholders the opportunity to give policy, management, and technical input concerning Trinity River (California) restoration efforts to the Trinity Management Council (TMC). The TMC interprets and recommends policy, coordinates and reviews management actions, and provides organizational budget oversight.

DATES: *Public meeting:* TAMWG will meet from 9 a.m. to 5 p.m. Pacific Time on Tuesday, September 15, 2015, and from 9:30 a.m. to 4:30 p.m. Pacific Time on Wednesday, September 16, 2015. *Deadlines:* For deadlines on submitting written material, please see ''Public Input'' under **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting will be held at the Weaverville Fire Hall, 125 Bremer Street, Weaverville, CA 96093.

FOR FURTHER INFORMATION CONTACT: Joseph C. Polos, by mail at U.S. Fish and Wildlife Service, 1655 Heindon Road, Arcata, CA 95521; by telephone at 707–822–7201 or by email at *joe_polos@fws.gov* or Elizabeth W. Hadley, Redding Electric Utility, by mail at 777 Cypress Avenue, Redding, CA 96001; by telephone at 530–339–7308 or by email at *ehadley@reupower.com.* Individuals with a disability may request an accommodation by sending an email to either point of contact.

SUPPLEMENTARY INFORMATION: In accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App., we announce that the Trinity River Adaptive Management Working Group will hold a meeting.

Background

The TAMWG affords stakeholders the opportunity to give policy, management, and technical input concerning Trinity River (California) restoration efforts to the TMC. The TMC interprets and recommends policy, coordinates and reviews management actions, and provides organizational budget oversight.

Meeting Agenda

- Designated Federal Officer (DFO) update;
- TMC Chair update;
- Executive Director and Trinity River Restoration Program (TRRP) staff update;
- Update on current river and reservoir conditions;
- TMC current issues;
- Public comment;
- Klamath Salmonid Run Size Projection procedure;
- TRRP Goals, objectives, and definition of completion; and
- TRRP Coarse Sediment Lessons Learned Workshop.

The final agenda will be posted on the Internet at *http://www.fws.gov/arcata.*

PUBLIC INPUT

If you wish to	You must contact Elizabeth Hadley (**FOR FURTHER INFORMATION CONTACT**) no later than
Submit written information or questions for the TAMWG to consider during the meeting.	September 8, 2015.

Submitting Written Information or Questions

Interested members of the public may submit relevant information or questions for the TAMWG to consider during the meeting. Written statements must be received by the date listed in ''Public Input,'' so that the information may be available to the TAMWG for their consideration prior to this meeting. Written statements must be supplied to Elizabeth Hadley in one of the following formats: One hard copy with original signature, one electronic copy with original signature, and one electronic copy via email (acceptable file formats are Adobe Acrobat PDF, MS Word, PowerPoint, or rich text file).

Registered speakers who wish to expand on their oral statements, or those who wished to speak but could not be accommodated on the agenda, may submit written statements to Elizabeth Hadley up to 7 days after the meeting.

Meeting Minutes

Summary minutes of the meeting will be maintained by Elizabeth Hadley (see **FOR FURTHER INFORMATION CONTACT**). The minutes will be available for public inspection within 14 days after the meeting, and will be posted on the TAMWG Web site at *http://www.fws.gov/arcata.*

Dated: August 19, 2015.

Joseph C. Polos,

Supervisory Fish Biologist, Arcata Fish and Wildlife Office, Arcata, California.

[FR Doc. 2015–21100 Filed 8–25–15; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R1–ES–2015–N182; FXES11130100000–156–FF01E00000]

Endangered Species; Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for recovery permits to conduct activities with the purpose of enhancing the survival of endangered species. The Endangered Species Act of 1973, as amended (Act), prohibits certain activities with endangered species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing such permits.

DATES: To ensure consideration, please send your written comments by September 25, 2015.

ADDRESSES: Program Manager, Restoration and Endangered Species Classification, Ecological Services, U.S. Fish and Wildlife Service, Pacific Regional Office, 911 NE. 11th Avenue, Portland, OR 97232–4181. Please refer to the permit number for the application when submitting comments.

FOR FURTHER INFORMATION CONTACT: Colleen Henson, Fish and Wildlife Biologist, at the above address, or by telephone (503–231–6131) or fax (503–231–6243).

SUPPLEMENTARY INFORMATION:

Background

The Act (16 U.S.C. 1531 *et seq.*) prohibits certain activities with respect to endangered and threatened species unless a Federal permit allows such activity. Along with our implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR 17, the Act provides for certain permits, and requires that we invite public comment before issuing these permits for endangered species.

A permit granted by us under section 10(a)(1)(A) of the Act authorizes the permittee to conduct activities (including take or interstate commerce) with respect to U.S. endangered or threatened species for scientific purposes or enhancement of propagation or survival. Our regulations implementing section 10(a)(1)(A) of the Act for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Applications Available for Review and Comment

We invite local, State, and Federal agencies and the public to comment on the following applications. Please refer to the permit number for the application when submitting comments.

Documents and other information submitted with these applications are available for review by request from the Program Manager for Restoration and Endangered Species Classification at the address listed in the **ADDRESSES** section of this notice, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552).

Permit Number: TE–060179

Applicant: Zoological Society of San Diego, San Diego, California.

The applicant requests a permit amendment to take (collect eggs and nestlings, band, radio-tag, satellite-tag, collect biosamples, release, and recapture) the aga or Mariana crow (*Corvus kubaryi*), in conjunction with captive propagation and release in the Commonwealth of the Northern Mariana Islands and Guam for the purpose of enhancing the species' survival.

Permit Number: TE–829250

Applicant: Hawaii Wildlife Fund, Kahului, Hawaii.

The applicant requests a permit amendment to take (relocate nests) the honu or green sea turtle (*Chelonia mydas*) and to take (insert temperature loggers and data sensors into nests and utilize a trained turtle nest detector dog) the honu or green sea turtle, the honu ea or hawksbill sea turtle (*Eretmochelys imbricata*), and the olive Ridley sea turtle (*Lepidochelys olivacea*), in conjunction with scientific research on the islands of Kaho'olawe, Lana'i, Maui, and Moloka'i, for the purpose of enhancing their survival.

Public Availability of Comments

All comments and materials we receive in response to this request will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*).

Dated: August 18, 2015.

Stephen Zylstra,

Regional Director, Pacific Region, U.S. Fish and Wildlife Service.

[FR Doc. 2015–21096 Filed 8–25–15; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2014–0018; FF09A1000–145–FXIA16710900000]

Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Seventeenth Regular Meeting: Taxa Being Considered for Amendments to the CITES Appendices

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The United States, as a Party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), may propose amendments to the CITES Appendices for consideration at meetings of the Conference of the Parties. The seventeenth regular meeting of the Conference of the Parties to CITES (CoP17) is scheduled to be held in South Africa, September 24 to October 5, 2016. With this notice, we describe proposed amendments to the CITES Appendices (species proposals) that the United States might submit for consideration at CoP17 and invite your comments and information on these proposals.

DATES: We will consider written information and comments we receive by October 26, 2015.

ADDRESSES: You may submit comments pertaining to species proposals for consideration at CoP17 by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–HQ–IA–2014–0018.
- *U.S. mail or hand-delivery:* Public Comments Processing, *Attn:* FWS–HQ–IA–2014–0018; Division of Policy, Performance, and Management Programs; U.S. Fish and Wildlife Service; 5275 Leesburg Pike, MS: BPHC; Falls Church, VA 22041–3803.

We will not consider comments sent by email or fax or to an address not listed in **ADDRESSES**. We will post all comments on *http://www.regulations.gov.* This generally means that we will post any personal

information you provide us. If you submit a comment via *http://www.regulations.gov,* your entire comment—including any personal identifying information—will be posted on the Web site. If you submit a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy comments on *http://www.regulations.gov.*

Comments and materials we receive in response to this notice will be available for public inspection on *http://www.regulations.gov,* or by appointment between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays, at the U.S. Fish and Wildlife Service, Division of Scientific Authority, 5275 Leesburg Pike, MS: IA, Falls Church, VA 22041–3803; phone 703–358–1708.

FOR FURTHER INFORMATION CONTACT: Rosemarie Gnam Ph.D., Chief, Division of Scientific Authority, U.S. Fish and Wildlife Service, at 703–358–1708 (phone), 703–358–2276 (fax), or *scientificauthority@fws.gov* (email). If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Background

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, hereinafter referred to as CITES or the Convention, is an international treaty designed to control and regulate international trade in certain animal and plant species that are affected by trade and are now, or potentially may become, threatened with extinction. These species are included in the Appendices to CITES, which are available on the CITES Secretariat's Web site at *www.cites.org.* Currently, 181 Parties, including the United States, have joined CITES. The Convention calls for regular biennial meetings of the Conference of the Parties, unless the Conference decides otherwise, and meetings are typically held every 2 to 3 years. At these meetings, the Parties review the implementation of CITES, make provisions enabling the CITES Secretariat in Switzerland to carry out its functions, consider amendments to the list of species in Appendices I and II, consider reports presented by the Secretariat, and make recommendations for the improved effectiveness of CITES. Any country that is a Party to CITES may propose amendments to Appendices I and II, as well as resolutions, decisions, and agenda items for consideration by all the Parties.

This is our third in a series of **Federal Register** notices that, together with an announced public meeting (time and place to be announced), provide you with an opportunity to participate in the development of the U.S. submissions and negotiating positions for the seventeenth regular meeting of the Conference of the Parties to CITES (CoP17), which is scheduled to be held in South Africa, from September 24 to October 5, 2016. We published our first CoP17-related **Federal Register** notice on June 27, 2014 (79 FR 36550), in which we requested information and recommendations on animal and plant species proposals for the United States to consider submitting for consideration at CoP17. You may obtain information on that **Federal Register** notice from the Division of Scientific Authority at the address provided in **FOR FURTHER INFORMATION CONTACT** above. We published our second CoP17-related **Federal Register** notice on May 11, 2015 (80 FR 26948), in which we requested information and recommendations on resolutions, decisions, and agenda items that the United States might consider submitting for discussion at CoP17, and provided preliminary information on how to request approved observer status for national nongovernmental organizations within the United States that wish to attend the meeting. Comments received on that notice may be viewed at *http://www.regulations.gov* at Docket No. FWS–HQ–IA–2014–0018. You may obtain information on that **Federal Register** notice by contacting Craig Hoover, Chief, Wildlife Trade and Conservation Branch, Division of Management Authority, U.S. Fish and Wildlife Service, at 703–358–2095 (phone), 703–358–2298 (fax), or *managementauthority@fws.gov* (email). Our regulations governing this public process are found in title 50 of the Code of Federal Regulations (CFR) at § 23.87.

Recommendations for Species Proposals for the United States to Consider Submitting for CoP17

In our **Federal Register** notice of June 27, 2014 (79 FR 36550), we requested information and recommendations on potential species proposals for the United States to consider submitting for consideration at CoP17. We received recommendations from 22 individuals and the following organizations for possible proposals involving 80 taxa (2 families, 6 genera, 70 individual species, and 2 general groups (U.S. and foreign softshell turtles and North American map turtles)): the American Herbal Products Association (AHPA); Center for Biological Diversity (CBD); Earthtrust; Ginseng Board of Wisconsin (GBW); Hsu's Ginseng Enterprises, Inc. (HGE); Humane Society International (HSI); International Fund for Animal Welfare (IFAW); International Union for Conservation of Nature–Species Survival Commission (IUCN–SSC) Tortoise and Freshwater Turtle Specialist Group; Natural Resources Defense Council (NRDC); Pew Environment Group (PEG); Species Survival Network (SSN); United Plant Savers (UPS); Wildlife Conservation Society (WCS); and World Wildlife Fund (WWF)/TRAFFIC. We also received general comments from individual commenters for CITES protections on the following species: 7 on rhinoceroses, elephants, and lions; 44 on elephants; 39 on rhinoceroses; and 29,738 on polar bears, pangolins, nautiluses, snapping and map turtles, walruses, sea cucumbers, and seahorses. Additionally, the United States may submit proposals on six animal species, one plant species, and one plant genus currently under periodic review by the CITES technical committees, and is undecided about submitting proposals regarding four bird species based on recent taxonomic changes.

We have undertaken initial assessments of the available trade and biological information on all of these taxa. Based on these assessments, we made provisional evaluations of whether to proceed with the development of proposals for species to be included in, removed from, or transferred between the CITES Appendices. We made these evaluations by considering the biological and trade information available on the species; the presence, absence, and effectiveness of other mechanisms that may preclude the need for species' inclusion in the CITES Appendices (*e.g.,* range country actions or other international agreements); and availability of resources. We have also considered the following factors, as per the U.S. approach for CoP17 discussed in our June 27, 2014, **Federal Register** notice:

(1) Does the proposed action address a serious wildlife or plant trade issue that the United States is experiencing as a range country for species in trade?

(2) Does the proposed action address a serious wildlife or plant trade issue for species not native to the United States?

(3) Does the proposed action provide additional conservation benefit for a species already covered by another international agreement?

Based on our initial assessments, we have assigned each taxon to one of three categories, which reflects the likelihood

of our submitting a proposal. In sections A, B, and C below, we have listed the current status of each species proposal recommended by the public, as well as species proposals we have been developing on our own. Please note that we have only provided here a list of taxa and the proposed action. We have posted an extended version of this notice on our Web site at *http://www.fws.gov/international/publications-and-media/federal-register-notices.html,* with text describing in more detail each proposed action and explaining the rationale for the tentative U.S. position on each possible proposal. Copies of the extended version of the notice are also available from the Division of Scientific Authority at the above address or at *www.regulations.gov* at Docket No. FWS–HQ–IA–2014–0018.

We welcome your comments, especially if you are able to provide any additional biological or trade information on these species. For each species, more detailed information is on file in the Division of Scientific Authority.

A. What species proposals is the United States likely to submit for consideration at CoP17?

The United States is likely to develop and submit proposals for the following taxa. Most of the taxa in this section are undergoing periodic review of the CITES Appendices by the Animals Committee (AC) and Plants Committee (PC), in accordance with Resolution Conf. 14.8 (Rev. CoP16). This is a regular process under CITES to evaluate whether listings of taxa in CITES Appendices I and II continue to be appropriate, based on current biological and trade information. These taxa are at various stages in the periodic review process. This process includes an initial assessment that is put before the appropriate Committee (Plants or Animals) for discussion, which may result in an AC or PC recommendation that a taxon be uplisted (transferred from Appendix II to Appendix I); or downlisted (transferred from Appendix I to Appendix II, or deleted from Appendix II); or that no change be made to the listing.

Plants

1. Saw-toothed Lewisia (*Lewisia serrata*)—Potential amendment to Appendix–II listing
2. Fishhook cactus (*Sclerocactus* spp.)—Potential amendments to Appendix–I and Appendix–II listings

Invertebrates

3. Wabash riffleshell (*Epioblasma sampsonii*)—Potential amendment to Appendix–I listing

Reptiles

4. Puerto Rican boa (*Epicrates inornatus*)—Amendment to Appendix–I listing

Mammals

5. Caribbean monk seal (*Monachus tropicalis*)—Potential amendment to Appendix–I listing
6. Guam flying-fox (*Pteropus tokudae*)—Potential amendment to Appendix–II listing
7. Eastern cougar (*Puma concolor couguar*) and Florida panther (*P. concolor coryi*)—Potential amendments to Appendix I listings—Potential amendments to Appendix–II listings
8. Polar bear (*Ursus maritimus*)—Transfer from Appendix II to Appendix I

B. On what species proposals is the United States still undecided, pending additional information and consultations?

The United States is still undecided on whether to submit proposals for CoP17 for the following taxa. In most cases, we have not completed our consultations with relevant range countries. In other cases, we expect meetings to occur in the immediate future, at which participants will generate important recommendations, trade analyses, or biological information on the taxon in question that may be useful to our final decision-making.

Invertebrates

1. Sea cucumbers native to the United States: Pepino de mar (*Actinopyga agassizii*), Deep-water redfish (*A. echinites*), Stonefish (*A. lecanora*), Surf redfish (*A. mauritiana*), Blackfish (*A. miliaris*), Giant California sea cucumber (*Apostichopus californicus*), Warty sea cucumber (*A. parvimensis*), Furry sea cucumber (*Astichopus multifidus*), Leopard fish (*Bohadschia argus*), Brown sandfish (*B. vitiensis*), Orange-footed sea cucumber (*Cucumaria frondosa*), Tripang (*Holothuria arenicola*), Lollyfish (*H. atra*), Zanga fleur (*H. cinerascens*), Snakefish (*H. coluber*), Pinkfish (*H. edulis*), Red snakefish (*H. flavomaculata*), Labuyo (*H. fuscocinerea*), White teatfish (*H. fuscogilva*), Elephant trunkfish (*H. fuscopunctata*), Tiger tail (*H. hilla*), Spotted sea cucumber (*H. impatiens*), Golden sandfish (*H. lessoni*), White threadfish (*H. leucospilota*), Pepino de mar (*H. mexicana*), Bantunan (*H. pardalis*), ''Unknown'' (*H. pervicax*), Black teatfish (*H. whitmaei*), Four-sided sea cucumber (*Isostichopus badionotus*), Blackspotted sea cucumber (*Pearsonothuria graeffei*), Greenfish (*Stichopus chloronotus*), Curryfish (*S. herrmanni*), Selenka's sea cucumber (*S. horrens*), Prickly redfish (*Thelenota ananas*), Amber fish (*T. anax*), and Lemonfish (*T. rubralineata*)—Inclusion in Appendix II
2. Chambered nautiluses (*Allonautilus* spp. and *Nautilus* spp.)—Inclusion in Appendix II
3. Red and pink corals (*Corallium* spp. and *Paracorallium* spp.)—Inclusion in Appendix II

Fishes

4. American eel (*Anguilla rostrata*)—Inclusion in Appendix II
5. Lined seahorse (*Hippocampus erectus*)—Transfer from Appendix II to Appendix I
6. Dwarf seahorse (*Hippocampus zosterae*)—Transfer from Appendix II to Appendix I
7. Devil rays (*Mobula* spp.): Pygmy devil ray (*M. eregoodootenkee*), Atlantic devil ray (*M. hypostoma*), Spinetail devil ray (*M. japanica*), Shortfin devil ray (*M. kuhlii*), Giant devil ray (*M. mobular*), Smoothtail devil ray (*M. munkiana*), Lesser Guinean devil ray (*M. rochebrunei*), Sicklefin devil ray (*M. tarapacana*), and Smoothtail devil ray (*M. thurstoni*))—Inclusion in Appendix II

Reptiles

8. Chaco side-necked turtle (*Acanthochelys pallidipectoris*)—Inclusion in Appendix II or Appendix I
9. African and Middle Eastern softshell turtles in the family Trionychidae: Aubry's flapshell turtle (*Cycloderma aubryi*); Zambezi flapshell turtle (*C. frenatum*); Nubian flapshell turtle (*Cyclanorbis elegans*); Senegal flapshell turtle (*C. senegalensis*); Euphrates softshell turtle (*Rafetus euphraticus*); and African or Nile softshell turtle (*Trionyx triunguis*)—Inclusion in Appendix II
10. African pygmy chameleons (*Rhampholeon spp.* and *Rieppeleon spp*): Mount Gorongosa pygmy chameleon (*Rhampholeon gorongosae*), Marshall's pygmy chameleon *(R. marshalli*), Cameroon stumptail chameleon (*R. spectrum*), East Usambara pygmy

chameleon (*R. temporalis*), Rare (Green) pygmy chameleon (*R. viridis*), Nguru spiny pygmy chameleon (*R. acuminatus*), Beraducci's pygmy chameleon (*R. beraduccii*), Boulenger's pygmy chameleon (*R. boulangeri*), Chapman's pygmy chameleon (*R. chapmanorum*), Udzungwa pygmy chameleon (*R. moyeri*), Nchisi pygmy chameleon (*R. nchisiensis*), Mulanje pygmy chameleon (*R. platyceps*), Uluguru pygmy chameleon (*R. uluguruensis*), Mount Inago pygmy chameleon (*R. bruessoworum*), Mount Namuli pygmy chameleon *(R. tilburyi*), Mount Chiperone pygmy chameleon (*R. nebulauctor*), Mount Mabu pygmy chameleon (*R. maspictus*), Zomba pygmy chameleon (*Rieppeleon brachyurus*), Bearded pygmy chameleon (*R. brevicaudatus*), Kenya leaf chameleon (*R. kerstenii*)—Inclusion in Appendix II

Birds

11. Four Indo-Pacific bird species: Loria's bird-of-paradise (*Cnemophilus loriae*), Crested bird-of-paradise (*C. macgregorii*), Yellow-breasted bird-of-paradise (*Loboparadisea sericea*), and Macgregor's bird-of-paradise (*Macgregoria pulchra*)—Removal from Appendix II
12. African grey parrot (*Psittacus erithacus*)—Transfer from Appendix II to Appendix I

Mammals

13. Pangolins (*Manis* spp.)—Transfer from Appendix II to Appendix I
14. Narwhal (*Monodon monoceros*)—Transfer from Appendix II to Appendix I
15. African lion (*Panthera leo leo*)—Transfer from Appendix II to Appendix I

C. What species proposals is the United States not likely to submit for consideration at CoP17, unless we receive significant additional information?

The United States does not intend to submit proposals for the following taxa unless we receive significant additional information indicating that a proposal is warranted. As described further in the extended version of this notice on our Web site, information currently available for each of the taxa listed below does not support a proposal.

Plants

1. Goldenseal (*Hydrastis canadensis*)—Removal from Appendix II
2. American ginseng (*Panax quinquefolius*)—Amendment of the Appendix–II listing annotation to exclude sliced roots from CITES control
3. Hawaiian sandalwoods (*Santalum* spp.)—Inclusion in Appendix II

Invertebrates

4. Sea cucumbers not native to the United States: Deepwater blackfish (*Actinopyga palauensis*), Burying blackfish (*A. spinea*), Japanese sea cucumber (*Apostichopus japonicas*), Brown-spotted sandfish (*Bohadschia marmorata*), Falalyjaka (*B. subrubra*), Japanese cucumaria (*Cucumaria japonica*), Black teatfish (*Holothuria nobilis*), Sandfish (*H. scabra*), Selenka's sea cucumber (*Stichopus monotuberculatus*), Selenka's sea cucumber (*S. naso*)—Inclusion in Appendix II

Fishes

5. Thresher sharks (*Alopias* spp.): Bigeye thresher shark (*A. pelagicus*), Pelagic thresher shark *A. superciliosus*), Common thresher shark (*A. vulpinus*)—Inclusion in Appendix II
6. Dusky shark (*Carcharhinus obscurus*)—Inclusion in Appendix II
7. Silky shark (*Carcharhinus falciformis*)—Inclusion in Appendix II
8. Mako sharks: Longfin mako shark (*Isurus oxyrinchus*) and shortfin mako shark (*I. paucus*)—Inclusion in Appendix II
9. Blue shark (*Prionace glauca*)—Inclusion in Appendix II
10. Hammerhead sharks (Sphyrnidae Family): Winghead shark (*Eusphyra blochii*), Scalloped bonnethead (*Sphyrna corona*), Whitefin hammerhead (*S. couardi*), Scoophead shark (*S. media*), Bonnethead shark (*S. tiburo*), Smalleye hammerhead shark (*S. tudes*)—Inclusion in Appendix II
11. Humphead wrasse (*Cheilinus undulatus*)—Transfer from Appendix II to Appendix I

Reptiles

12. North American softshell turtles in the Genus *Apalone:* Spiny softshell (*A. spinifera,* including 6 subsp.*); Smooth softshell (*A. mutica,* including 2 subsp.); and Florida softshell (*A. ferox*)—Inclusion in Appendix II [* excluding *A.s. atra,* which is in Appendix I and found in Mexico]
13. North American map turtles (*Graptemys* spp.): Barbour's map turtle (*G. barbouri*); Cagle's map turtle (*G. caglei*); Escambia map turtle (*G. ernsti*); Yellow-blotched map turtle (*G. flavimaculata*); Northern map turtle (*G. geographica*); Pascagoula map turtle (*G. gibbonsi*); Black-knobbed map turtle (*G. nigrinoda*); Ringed map turtle (*G. oculifera*); Ouachita map turtle (*G. ouachitensis*); Pearl River map turtle (*G. pearlensis*); False map turtle (*G. pseudogeographica*); Alabama map turtle (*G. pulchra*); Texas map turtle (*G. versa*)—Transfer from Appendix III to Appendix II
14. Chinese softshell turtle (*Pelodiscus sinensis*)—Inclusion in Appendix II
15. Alligator snapping turtle (*Macrochelys temminckii*)—Transfer from Appendix III to Appendix II

Mammals

16. Cape fur seal *(Arctocephalus pusillus*)—Transfer to Appendix I
17. White rhinoceros (*Ceratotherium simum*)—Inclusion of the entire species in Appendix I
18. African elephant (*Loxodonta africana*)—Inclusion of the entire species in Appendix I
19. Walrus (*Odobenus rosmarus*)—Inclusion in Appendix I

Future Actions

As stated above, the next regular meeting of the Conference of the Parties (CoP17) is scheduled to be held in South Africa, September 24 to October 5, 2016. The United States must submit any proposals to amend Appendix I or II, or any draft resolutions, decisions, or agenda items for discussion at CoP17, to the CITES Secretariat 150 days (April 27, 2016) prior to the start of the meeting. In order to meet this deadline and to prepare for CoP17, we have developed a tentative U.S. schedule. Approximately 12 months prior to CoP17, we plan to publish a **Federal Register** notice announcing draft resolutions, draft decisions, and agenda items the United States is considering submitting for CoP17 and soliciting further information and comments on them. Approximately 4 months prior to CoP17, we will post on our Web site an announcement of the species proposals, draft resolutions, draft decisions, and agenda items submitted by the United States to the CITES Secretariat for consideration at CoP17.

Through a series of additional notices and Web site postings in advance of CoP17, we will inform you about preliminary negotiating positions on resolutions, decisions, and amendments to the Appendices proposed by other

Parties for consideration at CoP17. We will also publish an announcement of a public meeting to be held approximately 3 months prior to CoP17. That meeting will enable us to receive public input on our positions regarding CoP17 issues. The procedures for developing U.S. documents and negotiating positions for a meeting of the Conference of the Parties to CITES are outlined in 50 CFR 23.87. As noted in paragraph (c) of that section, we may modify or suspend the procedures outlined there if they would interfere with the timely or appropriate development of documents for submission to the CoP and of U.S. negotiating positions.

Author

The primary author of this notice is Patricia De Angelis, Ph.D., Division of Scientific Authority, U.S. Fish and Wildlife Service.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: August 17, 2015.

Daniel M. Ashe,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2015–21033 Filed 8–24–15; 12:00 pm]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R4–ES–2015–N139; FF04E00000–1115–0000 156]

Proposed Joint Programmatic Candidate Conservation Agreement With Assurances and Safe Harbor Agreement in the Saline, Caddo, and Ouachita River (Headwaters) Watersheds, Arkansas

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the U.S. Fish and Wildlife Service's Arkansas Ecological Services Field Office (ARFO), the Arkansas Game and Fish Commission (AGFC), the U.S. Department of Agriculture—Natural Resources Conservation Service (NRCS), and The Nature Conservancy (TNC) have applied for enhancement of survival permits (permits) pursuant to the Endangered Species Act of 1973 (Act). The permit application includes a proposal (referred to as the ''agreement'') that combines a safe harbor agreement (SHA) for 5 endangered and threatened species and a candidate conservation agreement with assurances (CCAA) for 20 State species of concern. The term of the agreement would be 30 years. If approved, the agreement would allow the applicants to issue certificates of inclusion (CI) to eligible non-Federal landowners throughout the Saline, Caddo, and Ouachita River (Headwaters) Watersheds in Arkansas whose property owner management agreements (POMA) are approved. We invite public comments on these documents.

DATES: We must receive any written comments at our Regional Office (see **ADDRESSES**) on or before September 25, 2015.

ADDRESSES: You may obtain a copy of the information available by contacting Melvin Tobin, Field Supervisor, Fish and Wildlife Service, Arkansas Ecological Services Field Office, 110 South Amity Road, Suite 300, Conway, AR 72032. Documents are also available for public inspection by appointment during normal business hours at the Fish and Wildlife Service's Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345; or at the Arkansas Ecological Services Field Office, Fish and Wildlife Service, 110 Amity Road, Suite 300, Conway, AR 72032. Note that requests for any documents must be in writing to be processed. When you are requesting or commenting on the information provided in this notice, please reference ''Programmatic CCAA and SHA in the Saline, Caddo, and Ouachita Rivers'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Harris, At-Risk Species Coordinator, at the Regional Office (see **ADDRESSES**), telephone: 404–679–7066; or Mr. Chris Davidson, Endangered Species Program Supervisor, at the Arkansas Field Office (see **ADDRESSES**), telephone: 501–513–4481.

SUPPLEMENTARY INFORMATION:

We announce the availability of the agreement, which covers the Arkansas fatmucket (*Lampsilis powellii*), pink mucket (*Lampsilis abrupta*), spectaclecase *(Cumberlandia monodonta*), and rabbitsfoot (*Quadrula cylindrica cylindrica*) mussels, and Harperella (*Ptilmnium nodosum*), a plant, and a candidate conservation agreement with assurances (CCAA) for 20 State species of concern (collectively ''covered species'').

CCAAs and SHAs

Under a CCAA, participating property owners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species that may warrant listing under the Act. CCAAs encourage private and other non-Federal property owners to implement conservation efforts for candidate and at-risk species by assuring property owners they will not be subjected to increased property use restrictions should the species become listed as threatened or endangered under the Act. Under a SHA, participating property owners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting federally listed species under the Act. SHAs encourage private and other non-Federal property owners to implement conservation efforts for federally listed species by assuring property owners they will not be subjected to increased property use restrictions under the Act. Application requirements and issuance criteria for SHAs and CCAAs are found in 50 CFR 17.22(d) and 50 CFR 17.32(d), respectively. Because of the significant overlap between the covered species' habitat requirements and the anticipated beneficial effects from implementation of the voluntary conservation measures, we believe that it is appropriate to combine the CCAA/SHA components in a single agreement for consideration in this notice.

Parties' Agreement

The Agreement describes conservation practices designed to protect and enhance streambed and bankside habitats for the benefit of the covered species on private or non-Federal public lands enrolled under the agreement. Enrolled landowners who implement these measures would receive assurances against take liability for the federally listed species, as well as for the covered species that might become federally listed in the future. Conservation land use practices will vary according to the needs of a particular enrolled landowner. Typical measures include controlling livestock access to streams; protection, enhancement, or restoration of streamside or in-stream habitats; species reintroduction to unoccupied suitable habitat; and other conservation measures that may be developed in the future.

We specifically request information, views, and opinions from the public via this notice on our proposed Federal action, including our determination that the agreement, including its proposed conservation measures, would have minor or negligible effects on the covered species. Therefore, we have determined that the agreement is a ''low-effect'' project and qualifies for categorical exclusion under the National Environmental Policy Act (NEPA; 42

U.S.C. 4321 *et seq.*) as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1). A low-effect project involves (1) minor or negligible effects on federally-listed or candidate species or their habitats, and (2) minor or negligible effects on other environmental values or resources. Further, we specifically solicit information regarding the adequacy of the agreement per 50 CFR parts 13 and 17.

Public Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

If you wish to comment, you may submit comments by any one of several methods. Please reference TE 71956B or TE 71959B in such comments. You may mail comments to the Fish and Wildlife Service's Regional Office (see **ADDRESSES**). You may also comment via the internet to *david_dell@fws.gov* or *michael_harris@fws.gov.* Please include your name and return address in your email message. If you do not receive a confirmation from us that we have received your email message, contact us directly at either telephone number listed under **FOR FURTHER INFORMATION CONTACT**.

Finally, you may hand-deliver comments to either of our offices listed under **ADDRESSES**.

Covered Area

The agreement covers approximately 439,792 acres of potentially eligible lands in the upper Saline River watershed; 412,556 acres of potentially eligible lands in the upper Ouachita River watershed; and 235,010 acres of potentially eligible lands in the upper Caddo River watershed. Lands eligible to enroll in the agreement include any non-Federal properties within the watershed of the upper Saline, Caddo, and Ouachita Rivers.

Next Steps

We will evaluate the enhancement of survival permit application, including the agreement and any comments we receive, to determine whether the applications meet the requirements of section 10(a)(1)(A) of the Act. We will also evaluate whether the section 10(a)(1)(A) enhancement of survival permits would comply with section 7 of the Act by conducting an intra-Service section 7 consultation. If we determine that the requirements are met, we will issue a permit under section 10(a)(1)(A) of the Act to the Applicants in accordance with the applicable regulatory requirements. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

Authority

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: July 29, 2015.

Mike Oetker,

Deputy Regional Director.

[FR Doc. 2015–20960 Filed 8–25–15; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[156A2100DD/AAKC001030/ A0A501010.999900 253G]

HEARTH Act Approval of Squaxin Island Tribe Regulations

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: On August 20, 2015, the Bureau of Indian Affairs (BIA) approved the Squaxin Island Tribe leasing regulations under the HEARTH Act. With this approval, the Tribe is authorized to enter into business leases without BIA approval.

FOR FURTHER INFORMATION CONTACT: Cynthia Morales, Office of Trust Services—Division of Realty, Bureau of Indian Affairs; Telephone (202) 768–4166; Email: *cynthia.morales@bia.gov.*

SUPPLEMENTARY INFORMATION:

I. Summary of the HEARTH Act

The HEARTH (Helping Expedite and Advance Responsible Tribal Homeownership) Act of 2012 (the Act) makes a voluntary, alternative land leasing process available to tribes, by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. 415. The Act authorizes tribes to negotiate and enter into agricultural and business leases of tribal trust lands with a primary term of 25 years, and up to two renewal terms of 25 years each, without the approval of the Secretary of the Interior. The Act also authorizes tribes to enter into leases for residential, recreational, religious or educational purposes for a primary term of up to 75 years without the approval of the Secretary. Participating tribes develop tribal leasing regulations, including an environmental review process, and then must obtain the Secretary's approval of those regulations prior to entering into leases. The Act requires the Secretary to approve tribal regulations if the tribal regulations are consistent with the Department's leasing regulations at 25 CFR part 162 and provide for an environmental review process that meets requirements set forth in the Act. This notice announces that the Secretary, through the Assistant Secretary—Indian Affairs, has approved the tribal regulations for the Squaxin Island Tribe.

II. Federal Preemption of State and Local Taxes

The Department's regulations governing the surface leasing of trust and restricted Indian lands specify that, subject to applicable Federal law, permanent improvements on leased land, leasehold or possessory interests, and activities under the lease are not subject to State and local taxation and may be subject to taxation by the Indian tribe with jurisdiction. *See* 25 CFR 162.017. As explained further in the preamble to the final regulations, the Federal government has a strong interest in promoting economic development, self-determination, and tribal sovereignty. 77 FR 72440, 72447–48 (December 5, 2012). The principles supporting the Federal preemption of State law in the field of Indian leasing and the taxation of lease-related interests and activities applies with equal force to leases entered into under tribal leasing regulations approved by the Federal government pursuant to the HEARTH Act.

Section 5 of the Indian Reorganization Act, 25 U.S.C. 465, preempts State and local taxation of permanent improvements on trust land. *Confederated Tribes of the Chehalis Reservation* v. *Thurston County,* 724 F.3d 1153, 1157 (9th Cir. 2013) (citing *Mescalero Apache Tribe* v. *Jones,* 411 U.S. 145 (1973)). In addition, as explained in the preamble to the revised leasing regulations at 25 CFR part 162, Federal courts have applied a balancing test to determine whether State and local taxation of non-Indians on the reservation is preempted. *White Mountain Apache Tribe* v. *Bracker,* 448 U.S. 136, 143 (1980). The *Bracker* balancing test, which is conducted against a backdrop of ''traditional notions of Indian self-government,'' requires a particularized examination of the relevant State, Federal, and tribal

interests. We hereby adopt the *Bracker* analysis from the preamble to the surface leasing regulations, 77 FR at 72447–48, as supplemented by the analysis below.

The strong Federal and tribal interests against State and local taxation of improvements, leaseholds, and activities on land leased under the Department's leasing regulations apply equally to improvements, leaseholds, and activities on land leased pursuant to tribal leasing regulations approved under the HEARTH Act. Congress's overarching intent was to ''allow tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in tribal communities.'' 158 Cong. Rec. H. 2682 (May 15, 2012). The HEARTH Act was intended to afford tribes ''flexibility to adapt lease terms to suit [their] business and cultural needs'' and to ''enable [tribes] to approve leases quickly and efficiently.'' *Id.* at 5–6.

Assessment of State and local taxes would obstruct these express Federal policies supporting tribal economic development and self-determination, and also threaten substantial tribal interests in effective tribal government, economic self-sufficiency, and territorial autonomy. *See Michigan* v. *Bay Mills Indian Community,* 134 S. Ct. 2024, 2043 (2014) (Sotomayor, J., concurring) (determining that ''[a] key goal of the Federal Government is to render Tribes more self-sufficient, and better positioned to fund their own sovereign functions, rather than relying on Federal funding''). The additional costs of State and local taxation have a chilling effect on potential lessees, as well as on a tribe that, as a result, might refrain from exercising its own sovereign right to impose a tribal tax to support its infrastructure needs. *See id.* at 2043–44 (finding that State and local taxes greatly discourage tribes from raising tax revenue from the same sources because the imposition of double taxation would impede tribal economic growth).

Just like BIA's surface leasing regulations, tribal regulations under the HEARTH Act pervasively cover all aspects of leasing. *See* Guidance for the Approval of Tribal Leasing Regulations under the HEARTH Act, NPM–TRUS–29 (effective Jan. 16, 2013) (providing guidance on Federal review process to ensure consistency of proposed tribal regulations with Part 162 regulations and listing required tribal regulatory provisions). Furthermore, the Federal government remains involved in the tribal land leasing process by approving the tribal leasing regulations in the first instance and providing technical assistance, upon request by a tribe, for the development of an environmental review process. The Secretary also retains authority to take any necessary actions to remedy violations of a lease or of the tribal regulations, including terminating the lease or rescinding approval of the tribal regulations and reassuming lease approval responsibilities. Moreover, the Secretary continues to review, approve, and monitor individual Indian land leases and other types of leases not covered under the tribal regulations according to the Part 162 regulations.

Accordingly, the Federal and tribal interests weigh heavily in favor of preemption of State and local taxes on lease-related activities and interests, regardless of whether the lease is governed by tribal leasing regulations or Part 162. Improvements, activities, and leasehold or possessory interests may be subject to taxation by the Squaxin Island Tribe.

Through the Congressionally-authorized Land Buy Back Program for Tribal Nations, the Squaxin Island Tribe has recovered the equivalent of more than 155 acres of land in trust. This initiative reflects the Federal policy of reducing the problem of fractionated interests in land and restoring tribal homelands. The approval of tribal leasing regulations has the potential to expand tribal sovereignty and increase tribal economic development on some of these newly consolidated lands.

Dated: August 20, 2015.

Kevin K. Washburn,

Assistant Secretary—Indian Affairs.

[FR Doc. 2015–21151 Filed 8–24–15; 4:15 pm]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[156A2100DD/AAKC001030/ A0A501010.999900 253G]

HEARTH Act Approval of Makah Indian Tribe of the Makah Indian Reservation Regulations

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: On August 18, 2015, the Bureau of Indian Affairs (BIA) approved the Makah Indian Tribe of the Makah Indian Reservation leasing regulations under the HEARTH Act. With this approval, the Tribe is authorized to enter into the following type of leases without BIA approval: Residential, business, wind and solar development, and other authorized purposes.

FOR FURTHER INFORMATION CONTACT: Cynthia Morales, Office of Trust Services—Division of Realty, Bureau of Indian Affairs; Telephone (202) 768–4166; Email *cynthia.morales@bia.gov.*

SUPPLEMENTARY INFORMATION:

I. Summary of the HEARTH Act

The HEARTH (Helping Expedite and Advance Responsible Tribal Homeownership) Act of 2012 (the Act) makes a voluntary, alternative land leasing process available to tribes, by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. 415. The Act authorizes tribes to negotiate and enter into agricultural and business leases of tribal trust lands with a primary term of 25 years, and up to two renewal terms of 25 years each, without the approval of the Secretary of the Interior. The Act also authorizes tribes to enter into leases for residential, recreational, religious or educational purposes for a primary term of up to 75 years without the approval of the Secretary. Participating tribes develop tribal leasing regulations, including an environmental review process, and then must obtain the Secretary's approval of those regulations prior to entering into leases. The Act requires the Secretary to approve tribal regulations if the tribal regulations are consistent with the Department's leasing regulations at 25 CFR part 162 and provide for an environmental review process that meets requirements set forth in the Act. This notice announces that the Secretary, through the Assistant Secretary—Indian Affairs, has approved the tribal regulations for the Makah Indian Tribe of the Makah Indian Reservation.

II. Federal Preemption of State and Local Taxes

The Department's regulations governing the surface leasing of trust and restricted Indian lands specify that, subject to applicable Federal law, permanent improvements on leased land, leasehold or possessory interests, and activities under the lease are not subject to State and local taxation and may be subject to taxation by the Indian tribe with jurisdiction. *See* 25 CFR 162.017. As explained further in the preamble to the final regulations, the Federal government has a strong interest in promoting economic development, self-determination, and tribal sovereignty. 77 FR 72,440, 72,447–48 (December 5, 2012). The principles supporting the Federal preemption of State law in the field of Indian leasing and the taxation of lease-related

interests and activities applies with equal force to leases entered into under tribal leasing regulations approved by the Federal government pursuant to the HEARTH Act.

Section 5 of the Indian Reorganization Act, 25 U.S.C. 465, preempts State and local taxation of permanent improvements on trust land. *Confederated Tribes of the Chehalis Reservation* v. *Thurston County,* 724 F.3d 1153, 1157 (9th Cir. 2013) (citing *Mescalero Apache Tribe* v. *Jones,* 411 U.S. 145 (1973)). In addition, as explained in the preamble to the revised leasing regulations at 25 CFR part 162, Federal courts have applied a balancing test to determine whether State and local taxation of non-Indians on the reservation is preempted. *White Mountain Apache Tribe* v. *Bracker,* 448 U.S. 136, 143 (1980). The *Bracker* balancing test, which is conducted against a backdrop of ''traditional notions of Indian self-government,'' requires a particularized examination of the relevant State, Federal, and tribal interests. We hereby adopt the *Bracker* analysis from the preamble to the surface leasing regulations, 77 FR at 72447–48, as supplemented by the analysis below.

The strong Federal and tribal interests against State and local taxation of improvements, leaseholds, and activities on land leased under the Department's leasing regulations apply equally to improvements, leaseholds, and activities on land leased pursuant to tribal leasing regulations approved under the HEARTH Act. Congress's overarching intent was to ''allow tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in tribal communities.'' 158 Cong. Rec. H. 2682 (May 15, 2012). The HEARTH Act was intended to afford tribes ''flexibility to adapt lease terms to suit [their] business and cultural needs'' and to ''enable [tribes] to approve leases quickly and efficiently.'' *Id.* at 5–6.

Assessment of State and local taxes would obstruct these express Federal policies supporting tribal economic development and self-determination, and also threaten substantial tribal interests in effective tribal government, economic self-sufficiency, and territorial autonomy. *See Michigan* v. *Bay Mills Indian Community,* 134 S. Ct. 2024, 2043 (2014) (Sotomayor, J., concurring) (determining that ''[a] key goal of the Federal Government is to render Tribes more self-sufficient, and better positioned to fund their own sovereign functions, rather than relying on Federal funding''). The additional costs of State and local taxation have a chilling effect on potential lessees, as well as on a tribe that, as a result, might refrain from exercising its own sovereign right to impose a tribal tax to support its infrastructure needs. *See id.* at 2043–44 (finding that State and local taxes greatly discourage tribes from raising tax revenue from the same sources because the imposition of double taxation would impede tribal economic growth).

Just like BIA's surface leasing regulations, tribal regulations under the HEARTH Act pervasively cover all aspects of leasing. *See* Guidance for the Approval of Tribal Leasing Regulations under the HEARTH Act, NPM–TRUS–29 (effective Jan. 16, 2013) (providing guidance on Federal review process to ensure consistency of proposed tribal regulations with Part 162 regulations and listing required tribal regulatory provisions). Furthermore, the Federal government remains involved in the tribal land leasing process by approving the tribal leasing regulations in the first instance and providing technical assistance, upon request by a tribe, for the development of an environmental review process. The Secretary also retains authority to take any necessary actions to remedy violations of a lease or of the tribal regulations, including terminating the lease or rescinding approval of the tribal regulations and reassuming lease approval responsibilities. Moreover, the Secretary continues to review, approve, and monitor individual Indian land leases and other types of leases not covered under the tribal regulations according to the Part 162 regulations.

Accordingly, the Federal and tribal interests weigh heavily in favor of preemption of State and local taxes on lease-related activities and interests, regardless of whether the lease is governed by tribal leasing regulations or Part 162. Improvements, activities, and leasehold or possessory interests may be subject to taxation by the Makah Indian Tribe of the Makah Indian Reservation. We note that the Makah Indian Reservation possesses a fractionated lands problem, but through the Land Buy Back Program authorized by Congress, fractional interests in trust land equivalent to approximately 64 acres of land have been repurchased and restored to the Makah Indian Tribe. The Land Buy Back Program represents a Federal policy initiative to restore tribal homelands. It is Federal policy to support tribal sovereignty and self-government to the maximum extent possible on tribal trust lands.

Dated: August 18, 2015.

Kevin K. Washburn,

Assistant Secretary—Indian Affairs.

[FR Doc. 2015–20888 Filed 8–24–15; 4:15 pm]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[15 XL LLIDI00000–L11200000–PH0000 241 A 4500075502]

Notice of Public Meeting, Idaho Falls District Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM) Idaho Falls District Resource Advisory Council (RAC), will meet as indicated below.

DATES: The Idaho Falls District RAC will meet in Challis, Idaho, September 22–23, 2015, for a two-day meeting at the Challis Field Office, 1151 Blue Mountain Road, Challis, Idaho 83226. The first day will begin at 10:00 a.m. and adjourn at 4:30 p.m. The second day will begin at 8:00 a.m. and adjourn at 2:30 p.m. Members of the public are invited to attend. A comment period will be held following the introductions from 10:00–10:30 a.m. All meetings are open to the public.

SUPPLEMENTARY INFORMATION: The 15-member Council advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in the BLM Idaho Falls District (IFD), which covers eastern Idaho. Items on the agenda include an overview and tour of the new wilderness area.

The Recreation RAC will convene at approximately 11:15 a.m. to discuss the Caribou-Targhee National Forest proposal to increase Christmas tree permits to $15.00, and the Salmon Challis National Forest's proposal to begin using the Copper Basin Guard Station (located approximately 35 miles from Mackay, Idaho) as a rental cabin. Following the morning part of the meeting, the group will discuss several riparian projects the Challis Field Office is undertaking to improve fish habitat and learn more about permitting Special Recreational Permits (SRPs) in Wilderness Study Areas (WSAs). The

second day RAC members will meet briefly at the office at 8:00 to begin a tour of the new wilderness area and several of the released WSAs to gain a better understanding of the affects it will have on BLM-managed lands.

All meetings are open to the public. The public may present written comments to the Council. Each formal Council meeting will also have time allocated for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Individuals who plan to attend and need special assistance, such as sign language interpretation, tour transportation or other reasonable accommodations, should contact the BLM as provided below.

FOR FURTHER INFORMATION CONTACT: Sarah Wheeler, RAC Coordinator, Idaho Falls District, 1405 Hollipark Dr., Idaho Falls, ID 83401. Telephone: (208) 524–7550. Email: *sawheeler@blm.gov.*

Dated: August 18, 2015.

Sarah Wheeler,

Idaho Falls District Resource Advisory Coordinator.

[FR Doc. 2015–21099 Filed 8–25–15; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

[Docket ID BSEE–2015–0009; OMB Control Number 1014–0007; 15XE1700DX EEEE500000 EX1SF0000.DAQ000]

Information Collection Activities: Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line; Submitted for Office of Management and Budget (OMB) Review; Comment Request

ACTION: 30-day notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Safety and Environmental Enforcement (BSEE) is notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the regulations under *Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line.* This notice also provides the public a second opportunity to comment on the revised paperwork burden of these regulatory requirements.

DATES: You must submit comments by September 25, 2015.

ADDRESSES: Submit comments by either fax (202) 395–5806 or email (*OIRA_Submission@omb.eop.gov*) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1014–0007). Please provide a copy of your comments to BSEE by any of the means below.

- Electronically go to *http://www.regulations.gov.* In the Search box, enter BSEE–2015–0009 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.
- Email *cheryl.blundon@bsee.gov,* fax (703) 787–1546, or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Cheryl Blundon; 45600 Woodland Road, Sterling, VA 20166. Please reference ICR 1014–0007 in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Cheryl Blundon, Regulations and Standards Branch, (703) 787–1607, to request additional information about this ICR. To see a copy of the entire ICR submitted to OMB, go to *http://www.reginfo.gov* (select Information Collection Review, Currently Under Review).

SUPPLEMENTARY INFORMATION:

Title: 30 CFR 254, *Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line.*

OMB Control Number: 1014–0007.

Abstract: Section 2(b)(3) of E.O. 12777 delegated to the Secretary of the Interior (Secretary) those responsibilities under section 311(j)(1)(C) of the Federal Water Pollution Control Act (FWPCA) (October 18, 1991; 56 FR 54757), requiring the Secretary to establish procedures, methods, and requirements for equipment to prevent and contain discharges of oil and hazardous substances from offshore facilities, including associated pipelines. Under section 2(d)(3) of E.O. 12777, section 311(j)(5) of FWPCA, and section 4202(b)(4) of OPA, the Secretary is required to issue regulations requiring the owners or operators of offshore facilities, including associated pipelines, to prepare and submit response plans that ensure the availability of private spill-response personnel and equipment and to permit the operation of offshore facilities, including associated pipelines, without approved response plans if certain conditions are met. Under section 2(e)(3) of E.O. 12777 and section 311(j)(6)(A) of FWPCA, the Secretary must require periodic inspections of containment booms and equipment used to remove discharges at offshore facilities, including associated pipelines. The Secretary has redelegated these responsibilities to the Director, BSEE.

The FWPCA, as amended by the Oil Pollution Act of 1990 (OPA), requires that a spill-response plan be submitted for offshore facilities prior to February 18, 1993. The OPA specifies that after that date, an offshore facility may not handle, store, or transport oil unless a plan has been submitted. Regulations at 30 CFR 254 establish requirements for spill-response plans for oil-handling facilities seaward of the coast line, including associated pipelines.

In addition, BSEE also issues various Notices to Lessees (NTLs) and Operators to clarify and provide additional guidance on some aspects of the regulations, as well as forms to capture the data and information.

Regulations implementing these responsibilities are among those delegated to BSEE. Responses are mandatory or are required to obtain or retain a benefit. No questions of a sensitive nature are asked. BSEE protects information considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and DOI's implementing regulations (43 CFR 2), and under regulations at 30 CFR part 250.197, Data and information to be made available to the public or for limited inspection, 30 CFR part 252, OCS Oil and Gas Information Program.

BSEE uses the information collected under 30 CFR 254 to determine compliance with OPA by lessees/operators. Specifically, BSEE needs the information to:

- Determine that lessees/operators have an adequate plan and are sufficiently prepared to implement a quick and effective response to a discharge of oil from their facilities or operations.
- Review plans prepared under the regulations of a State and submitted to BSEE to satisfy the requirements in 30 CFR 254 to ensure that they meet minimum requirements of OPA.
- Verify that personnel involved in oil-spill response are properly trained and familiar with the requirements of the spill-response plans and to lead and witness spill-response exercises.
- Assess the sufficiency and availability of contractor equipment and materials.
- Verify that sufficient quantities of equipment are available and in working order.

• Oversee spill-response efforts and maintain official records of pollution events.

• Assess the efforts of lessees/operators to prevent oil spills or prevent substantial threats of such discharges.

Frequency: On occasion, monthly, annually, biennially and as required by regulations.

Description of Respondents: Potential respondents comprise OCS Federal oil, gas, or sulphur lessees and/or operators.

Estimated Reporting and Recordkeeping Hour Burden: The estimated annual hour burden for this information collection is a total of 74,461 hours. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN TABLE

Citation 30 CFR 254 and NTLs	Reporting requirement*	Hour burden	Average number of annual responses	Annual burden hours (rounded)
Subpart A—General				
1(a) thru (d); 2(a); 3 thru 5; 7; 20 thru 29; 44(b); 47(a)(3); 51.	Submit spill response plan for OCS facilities and related documents/copies of referenced documents; any additional information necessary for compliance purposes.	192.8	18 new plans	3,470
1(e)	Request BSEE jurisdiction over facility landward of coast line (no recent request received).	0.4	2 requests	1
2(b)	Submit certification of capability to respond to worst case discharge or substantial threat of such.	15.8	18 certification	284
2(c)	Request deadline extension for submission of revised plan.	2	8 extensions	16
8	Appeal BSEE orders or decisions per 30 CFR Part 290.	Exempt under 5 CFR 1320.4(a)(2), (c).		0
Subtotal			46 responses	3,771
Subpart B—Oil-Spill Response Plans for Outer Continental Shelf Facilities				
Subpart B 52	Requirements for your oil-spill response plans	Burden included with specific requirements under subparts A and D.		0
30	Submit and/or resubmit revised spill response plan for OCS facilities at least every 2 years or within 15 days whenever certain changes occur (see (b)(1–4) or (see (e)(1–3)).	62	159 revised plans	9,858
30	Notify BSEE of no change to your plan	1	1 plan	1
Subtotal			160 responses	9,859
Subpart C—Related Requirements for OCS Facilities				
40	Make records of all OSRO-provided services, equipment, personnel available to BSEE.	7	40 records	280
41	Conduct annual training; retain training records for 2 years.	149	138 plans holders/operators.	20,562
42(a) thru (e)	Conduct triennial response plan exercise; retain exercise records for 3 years.	215	138 exercises	29,670
42(f)	Inform BSEE 30 days before the date of any exercise (triennial).	1.3	138 notifications	179
43	Inspect response equipment monthly; retain inspection & maintenance records for 2 years.	10.5	780 (65 sites × 12 months).	8,190
44(b)	Request approval to use a different efficiency factor for specific oil recovery devices; submit evidence to demonstrate the request.	1.5	1 request	2

BURDEN TABLE—Continued

Citation 30 CFR 254 and NTLs	Reporting requirement *	Hour burden	Average number of annual responses	Annual burden hours (rounded)
46(a) NTL	Notify NRC of all oil spills from owner/operator facility.	Burden would be included in the NRC inventory.		0
46(b) NTL(s)	Notify BSEE of oil spills of one barrel or more from owner/operator facility; submit follow-up report; after catastrophic event may be requested to meet w/BSEE to discuss storm recovery strategies/pollution.	2	6 notifications & reports.	12
46(c)	Notify BSEE & responsible party of oil spills from operations at another facility.	1.8	24 notifications	43
47(d)	Request instructions on how to calculate volume of WDC scenario if not listed in § 203.47(a–c).	0.9	1 request	1
Subtotal			1,266 responses	58,939
Subpart D—Oil Spill Response Requirements for Facilities Located in State Waters Seaward of the Coast Line				
50; 52	Submit response plan for facility in State waters following format for OCS plan.	46.3	13 plans	602
50; 51; 52	Submit response plan for facility in State waters by modifying existing OCS plan.	14.3	50 plans	715
50; 53	Submit response plan for facility in State waters developed under State requirements including all information as required in these sections.	40	8 plans	320
54	Submit description of oil-spill prevention procedures and demonstrate compliance; include any industry safety and pollution prevention standards your facility meets.	3.8	67 submissions	255
Subtotal			138 responses	1,892
Total Hour Burden			1,610 responses	74,461

* In the future, BSEE will be allowing the option of electronic reporting for certain requirements.

Estimated Reporting and Recordkeeping Non-Hour Cost Burden: We have not identified any non-hour cost burdens associated with this collection of information.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*,) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*,) requires each agency ''. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .'' Agencies must specifically solicit comments to: (a) Evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

To comply with the public consultation process, on May 29, 2015, we published a **Federal Register** notice (80 FR 30724) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 254.9 provides the OMB Control Number for the information collection requirements imposed by these regulations. The regulation also informs the public that they may comment at any time on the collections of information and provides the address to which they should send comments. We received two comments in response to the **Federal Register** notice: One from the Marine Mammal Commission in support of the Bureau's request and one comment from a private citizen that was not germane to the PRA.

Public Availability of Comments: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: August 7, 2015.

Robert W. Middleton,

Deputy Chief, Office of Offshore Regulatory Programs.

[FR Doc. 2015–21102 Filed 8–25–15; 8:45 am]

BILLING CODE 4310–VH–P

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

[Docket ID BSEE–2015–0007; OMB Control Number 1014–0013; 15XE1700DX EEEE500000 EX1SF0000.DAQ000]

Information Collection Activities: Global Positioning Systems (GPS) for Mobile Offshore Drilling Units (MODUs) NTL; Submitted for Office of Management and Budget (OMB) Review; Comment Request

ACTION: 30-day Notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Safety and Environmental Enforcement (BSEE) is notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements associated with subpart A, *General,* and related documents. This notice also provides the public a second opportunity to comment on the revised paperwork burden of these regulatory requirements.

DATES: You must submit comments by September 25, 2015.

ADDRESSES: Submit comments by either fax (202) 395–5806 or email (*OIRA_Submission@omb.eop.gov*) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1014–0013). Please provide a copy of your comments to BSEE by any of the means below.

- Electronically go to *http://www.regulations.gov.* In the Search box, enter BSEE–2015–0007 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.
- Email *cheryl.blundon@bsee.gov,* fax (703) 787–1546, or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Cheryl Blundon; 45600 Woodland Road, Sterling, VA 20166. Please reference ICR 1014–0013 in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Cheryl Blundon, Regulations and Standards Branch, (703) 787–1607, to request additional information about this ICR. To see a copy of the entire ICR submitted to OMB, go to *http://www.reginfo.gov* (select Information Collection Review, Currently Under Review).

SUPPLEMENTARY INFORMATION: *Title:* Notice to Lessees and/or Operators (NTL)—Gulf of Mexico OCS Region—GPS (Global Positioning System) for MODUs (Mobile Offshore Drilling Units).

OMB Control Number: 1014–0013.

Abstract: The Outer Continental Shelf (OCS) Lands Act at 43 U.S.C. 1334 authorizes the Secretary of the Interior to prescribe rules and regulations necessary for the administration of the leasing provisions of that Act related to mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, right-of-way, or a right-of-use and easement. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; to preserve and maintain free enterprise competition; and to ensure that the extent of oil and natural gas resources of the OCS is assessed at the earliest practicable time. Section 43 U.S.C. 1332(6) states that ''operations in the outer Continental Shelf should be conducted in a safe manner by well-trained personnel using technology, precautions, and techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstruction to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property, or endanger life or health.''

To carry out these responsibilities, the Bureau of Safety and Environmental Enforcement (BSEE) issues regulations to ensure that operations in the OCS will meet statutory requirements; provide for safety and protect the environment; and result in diligent exploration, development, and production of OCS leases. In addition, we also issue Notice to Lessees (NTLs) that provide clarification, explanation, and interpretation of our regulations. These NTLs are used to convey purely informational material and to cover situations that might not be adequately addressed in our regulations.

The subject of this information collection (IC) request is an NTL, GPS (Global Positioning System) for MODUs (Mobile Offshore Drilling Units). This NTL requires MODUs to be equipped with multiple tracking/location devices so that during a storm event (hurricane) the respondent, as well as BSEE, will have the capability to monitor their locations. This NTL also provides BSEE GPS data access thereby granting BSEE real-time location information as needed for the Hurricane Response Team (HRT).

The primary regulation for this IC is 30 CFR 250, subpart A, approved under the OMB Control Number 1014–0013. However, in connection with this subpart, the burden requirements in the NTL are in addition to the currently approved paperwork burdens under those requirements.

Regulations implementing these responsibilities are among those delegated to BSEE.

Responses are required to obtain or retain a benefit. No questions of a sensitive nature are asked. BSEE protects information considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and DOIs implementing regulations (43 CFR 2), and under regulations at 30 CFR part 250.197, *Data and information to be made available to the public or for limited inspection,* 30 CFR part 252, *OCS Oil and Gas Information Program.*

After Hurricane Ike in 2008, due to the loss of a MODU, the National Oceanic and Atmospheric Administration and US Army Corps of Engineers conducted numerous side-sonar searches for dangerous submerged debris in several places in and around the Gulf of Mexico waters, including off the Louisiana coast, the Houston Ship Channel, and the Galveston areas. These searches continued for numerous days, with multiple government agencies, and covered well over 75 square statute miles. Nothing was found.

On March 6, 2009, a 900-ft Norwegian flagged tank ship carrying approximately 130K MT of crude oil, reported listing 8 degrees and taking on water about 65-miles offshore of Galveston, TX. It was determined that the tanker had hit the sunken MODU that was submerged approximately 24 feet below the surface of the water, that had been missing since Hurricane Ike. The MODU was displaced off the coast of Louisiana during Hurricane Ike and ended up off the coast of Galveston, roughly 105 miles away.

The information to be collected is necessary for BSEE to assess the whereabouts of any MODU becoming unmoored due to extreme weather situations; as well as, to follow the path of that facility to determine if other facilities/pipelines, etc., were damaged in any way. The offshore oil and gas industry will use the information to determine the safest and quickest way to either remove the obstacles or to fix and reuse them.

Frequency: On occasion.

Description of Respondents: Potential respondents comprise OCS Federal oil, gas, or sulphur lessees and/or operators.

Estimated Reporting and Recordkeeping Hour Burden: The estimated annual hour burden for this information collection is a total of 1 hour. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN TABLE

NTL–GPS for MODUs Gulf of Mexico OCS Region	Hour burden	Average number of annual responses	Annual burden hours
	Non-Hour Cost Burdens		
1—Notify BSEE with tracking/locator data access and supporting information; notify BSEE Hurricane Response Team as soon as operator is aware a rig has moved off location.	15 mins	1 rig*	1 hour (rounded).
	15 mins	1 notification.*	
2—Purchase and install tracking/locator devices—(these are replacement GPS devices or new rigs).	20 devices per year for replacement and/or new × $325.00 = $6,500.		
3—Pay monthly tracking fee for GPS devices already placed on MODUs/rig.	40 rigs at $50/month = $600/year = $24,000.		
4—Rent GPS devices and pay monthly tracking fee per rig.	40 rigs @$1,800 per year = $72,000.		
Total Burden		102 Responses	1 Hour.
	$102,500 non-hour cost burden.		

Estimated Reporting and Recordkeeping Non-Hour Cost Burden: Under this collection, the lessees and operators have already installed the GPS systems; therefore, we estimate a non-hour cost burden of $102,500 which consists of:

—Replacing/repairing locator devices and/or adding devices for new MODUs added to the group;

—paying monthly rental fees for GPS tracking purposes only, or

—paying rental fees for the GPS devices themselves as well as associated tracking information.

We have not identified any other non-hour cost burdens associated with this collection of information. See burden table for a breakdown of the burdens.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency ''. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .'' Agencies must specifically solicit comments to: (a) Evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

To comply with the public consultation process, on May 22, 2015, we published a **Federal Register** notice (80 FR 29743) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 250.199 provides the OMB Control Numbers for the information collection requirements imposed by the 30 CFR 250 regulations. The regulations also inform the public that they may comment at any time on a collection of information and provide the address to which they should send comments. The required PRA public disclosure and comment statement is displayed on the NTL. We received no comments in response to the **Federal Register** notice or unsolicited comments.

Public Availability of Comments: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: August 5, 2015.

Robert W. Middleton,

Deputy Chief, Office of Offshore Regulatory Programs.

[FR Doc. 2015–21103 Filed 8–25–15; 8:45 am]

BILLING CODE 4310–VH–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Document Cameras and Software for Use Therewith, DN 3084*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR § 210.8(b)).

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission,

U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS,[1] and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at USITC.[2] The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS.[3] Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Pathway Innovations & Technologies, Inc. on August 20, 2015. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain document cameras for use therewith. The complaint names as respondents Recordex USA, Inc. of Long Island City, NY; QOMO HiteVision, LLC of Wixom, MI; and Adesso, Inc. of Walnut, CA. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number (''Docket No. 3084'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *Electronic Filing Procedures*).[4] Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on *EDIS*.[5]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

Issued: August 20, 2015.

By order of the Commission.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–21064 Filed 8–25–15; 8:45 am]

BILLING CODE 7020–02–P

[1] Electronic Document Information System (EDIS): *http://edis.usitc.gov*.

[2] United States International Trade Commission (USITC): *http://edis.usitc.gov*.

[3] Electronic Document Information System (EDIS): *http://edis.usitc.gov*.

[4] Handbook for Electronic Filing Procedures: *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf*.

[5] Electronic Document Information System (EDIS): *http://edis.usitc.gov*.

DEPARTMENT OF LABOR

Employment and Training Administration

Comment Request for Information Collection for ETA 191, Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers Report, Extension Without Revisions

AGENCY: Employment and Training Administration (ETA), Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 [44 U.S.C. 3506(c)(2)(A)]. This program helps ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, ETA is soliciting comments concerning the collection of data about Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers.

DATES: Submit written comments to the office listed in the addresses section below on or before October 26, 2015.

ADDRESSES: Send written comments to Cindy Le, Office of Unemployment Insurance, Room S–4524, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Telephone number: 202–693–2829 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1–877–889–5627 (TTY/TDD). Email: *le.cindy@dol.gov.* To obtain a copy of the proposed information collection request (ICR), please contact the person listed above.

SUPPLEMENTARY INFORMATION:

I. Background

Public Law 97–362, Miscellaneous Revenue Act of 1982, amended the Unemployment Compensation for Ex-Sevicemembers (UCX) law (5 U.S.C. 8509), and Public Law 96–499, Omnibus Budget Reconciliation Act, amended the Unemployment Compensation for Federal Employees (UCFE) law (5 U.S.C. 8501, *et. seq.*) requiring each Federal employing agency to pay the costs of regular and extended UCFE/UCX benefits paid to its employees by the State Workforce Agencies (SWAs). The ETA 191 report submitted quarterly by each SWA shows the amount of benefits that should be charged to each Federal employing agency. The Office of Unemployment Insurance uses this information to aggregate the SWA quarterly charges and submit one official bill to each Federal agency being charged. Federal agencies then reimburse the Federal Employees Compensation Account maintained by the U.S. Department of the Treasury.

II. Review Focus

The Department is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- enhance the quality, utility, and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

III. Current Actions

Type of Review: Extension without changes.

Title: Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Servicemembers, ETA 191.

OMB Number: 1205–0162.

Affected Public: State Workforce Agencies.

Estimated Total Annual Respondents: 53.

Annual Frequency: Quarterly.

Estimated Total Annual Responses: 212.

Average Time per Response: 6 Hours.

Estimated Total Annual Burden Hours: 1,272 Hours.

Total Estimated Annual Other Cost Burden: There is no cost to respondents.

We will summarize and/or included in the request for OMB approval of the ICR, the comments received in response to this comment request; they will also become a matter of public record.

Portia Wu,

Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2015–21123 Filed 8–25–15; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Blasting and the Use of Explosives

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, ''Blasting and the Use of Explosives,'' 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 September 25, 2015.

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=201508-1218-001* (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–OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–5806 (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: 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 Blasting and the Use of Explosives Standard information collection requirements codified in regulations 29 CFR 1926, subpart U. The Standard specifies the following information collection requirements for an Occupational Safety and Health Act (OSH Act) covered employer subject to the Standard: (1) Maintain an inventory and use record of all explosives, in use and not in use; (2) notify appropriate authorities in the event of any loss, theft, or unauthorized entry into a magazine; (3) display adequate signs warning against the use of mobile radio transmitters on all roads within 1,000 feet of blasting operations; (4) certify and maintain a record of alternative provisions made adequately to prevent any premature firing of electric blasting caps; (5) notify operators and/or owners of overhead power lines, communication lines, utility lines, or other services and structures when blasting operations will take place in proximity to those lines, services, or

structures; (5) notify the hoist operator prior to transporting explosives or blasting agents in a shaft conveyance; (6) perform a weekly electrical system inspection on any truck used to transport explosives underground and maintain the most recent inspection certification that includes the inspection date, a serial number or other identifier of the truck inspected, and the signature of the person who performed the inspection; (7) post a code of blasting agents at one or more conspicuous places at the operation; and (8) place danger signs warning of blasting agents at suitable locations. A blaster must also (1) maintain an accurate and up-to-date record of explosives, blasting agents, and blasting supplies used in a blast and (2) maintain an accurate running inventory of all explosives and blasting agents stored on the operation. OSH Act sections 2(b)(9), (6), and 8(c) authorize this information collection. *See* 29 U.S.C. 651(b)(9), 655, and 657(c).

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 1218–0217.

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 August 31, 2015. 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 June 11, 2015 (80 FR 33295).

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 thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218–0217. 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–OSHA.

Title of Collection: Blasting and the Use of Explosives.

OMB Control Number: 1218–0217.

Affected Public: Private Sector—businesses or other for profits.

Total Estimated Number of Respondents: 201.

Total Estimated Number of Responses: 818.

Total Estimated Annual Time Burden: 1,666 hours.

Total Estimated Annual Other Costs Burden: $0.

Dated: August 20, 2015.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2015–21115 Filed 8–25–15; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO): Meeting

AGENCY: Veterans' Employment and Training Service (VETS), Department of Labor.

ACTION: Notice of open meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the ACVETEO. The ACVETEO will discuss the VETS core programs and services regarding efforts that assist veterans seeking employment and raise employer awareness as to the advantages of hiring veterans. There will be an opportunity for individuals or organizations to address the committee. Any individual or organization that wishes to do so should contact Mr. Gregory Green at 202–693–4734.

Individuals who will need accommodations for a disability in order to attend the meeting (*e.g.,* interpreting services, assistive listening devices, and/or materials in alternative format) should notify the Advisory Committee no later than Friday, September 25, 2015 by contacting Mr. Gregory Green at 202–693–4734. Requests made after this date will be reviewed, but availability of the requested accommodations cannot be guaranteed. The meeting site is accessible to individuals with disabilities. This Notice also describes the functions of the ACVETEO. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public.

Date and Time: Tuesday, September 29, 2015 beginning at 9:00 a.m. and ending at approximately 4:00 p.m. (EST).

ADDRESSES: The meeting will take place at the U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue NW., Washington, DC 20210, C–5310 Room 1B. Members of the public are encouraged to arrive early to allow for security clearance into the Frances Perkins Building.

Security Instructions: Meeting participants should use the visitors' entrance to access the Frances Perkins Building, one block north of Constitution Avenue at 3rd and C Streets NW. For security purposes meeting participants must:

1. Present a valid photo ID to receive a visitor badge.
2. Know the name of the event being attended: the meeting event is the Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO).
3. Visitor badges are issued by the security officer at the Visitor Entrance located at 3rd and C Streets NW. When receiving a visitor badge, the security officer will retain the visitor's photo ID until the visitor badge is returned to the security desk.
4. Laptops and other electronic devices may be inspected and logged for identification purposes.
5. Due to limited parking options, Metro's Judiciary Square station is the easiest way to access the Frances Perkins Building.

Notice of Intent to Attend the Meeting: All meeting participants are being asked to submit a notice of intent to attend by Friday, September 18, 2015, via email to Mr. Gregory Green at *green.gregory.b@dol.gov,* subject line ''September 2015 ACVETEO Meeting.''

FOR FURTHER INFORMATION CONTACT: Mr. Gregory Green, Assistant Designated Federal Official for the ACVETEO, (202) 693–4734.

SUPPLEMENTARY INFORMATION: The ACVETEO is a Congressionally mandated advisory committee authorized under title 38, U.S. Code, section 4110 and subject to the Federal Advisory Committee Act, 5 U.S.C. App. 2, as amended. The ACVETEO is responsible for: Assessing employment and training needs of veterans; determining the extent to which the programs and activities of the U.S. Department of Labor meet these needs; assisting to conduct outreach to employers seeking to hire veterans; making recommendations to the Secretary, through the Assistant Secretary for VETS, with respect to outreach activities and employment and training needs of Veterans; and carrying out such other activities necessary to make required reports and recommendations. The ACVETEO meets at least quarterly.

Agenda

9:00 a.m.—Welcome and remarks, Teresa W. Gerton, Acting Assistant Secretary for Veterans Employment and Training Service

9:05 a.m.—Administrative Business, Gregory Green, Designated Federal Official

9:15 a.m.—Outreach Subcommittee Briefing and Discussion on finalizing recommendations

9:45 a.m.—Break

10:00 a.m.—Focused Populations Subcommittee Briefing and Discussion on finalizing recommendations

10:30 a.m.—Break

10:45 a.m.—Transition Subcommittee Briefing and Discussion on finalizing recommendations

11:15 p.m.—Break

11:30 p.m.—Lunch

12:00 p.m.—Subcommittees breakout drafting whitepaper on final recommendations

3:30 p.m.—Public Forum, Gregory Green Designated Federal Official

4:00 p.m.—Adjourn

Signed in Washington, DC, this 21st day of August, 2015.

Teresa W. Gerton,

Acting Assistant Secretary for Veterans' Employment and Training Service.

[FR Doc. 2015–21213 Filed 8–25–15; 8:45 am]

BILLING CODE 4510–79–P

DEPARTMENT OF LABOR

Office of the Secretary

Senior Executive Service; Appointment of Members to the Performance Review Board

Title 5 U.S.C. 4314(c)(4) provides that Notice of the Appointment of the individual to serve as a member of the Performance Review Board of the Senior Executive Service shall be published in the **Federal Register**.

The following individuals are hereby appointed to serve on the Department's Performance Review Board:

Permanent Membership

Chair—Deputy Secretary—Christopher P. Lu
Vice-Chair—Assistant Secretary for Administration and Management—T. Michael Kerr
Alternate Vice-Chair—Director, Human Resources Center—Sydney T. Rose
Executive Secretary—Director, Executive Resources—Lucy Cunningham
Performance Officer—Director, Performance Management Center—Holly A. Donnelly

Rotating Membership—Appointments Expire on 09/30/16

BLS Jay A. Mousa, Associate Commissioner for Office of Field Operations
BLS Nancy F. Ruiz de Gamboa, Assistant Commissioner for Office of Administration
ETA Leslie G. Range, Regional Administrator, Atlanta
MSHA Patricia W. Silvey, Deputy Assistant Secretary for Operations
OASAM Cheryl A. Greenaugh, Director, Chief Information Program Management Office
OASAM Charlotte A. Hayes, Deputy Assistant Secretary for Policy
OASAM Naomi M. Barry-Perez, Director, Civil Rights Center
OFCCP Debra A. Carr, Division of Policy, Planning and Program Development
OFCCP Diana S. Sen, Regional Director, New York
OLMS Stephen J. Willertz, Director, Office of Enforcement and International Union Audits
OWCP Antonio A. Rios, Director, Longshore and Harbor Workers' Compensation Program
SOL Michael D. Felsen, Regional Solicitor, Boston
SOL Jeffrey L. Nesvet, Associate Solicitor for Employment and Training Legal Services
WB Joan Y. Harrigan-Farrelly, Deputy Director
WHD Patricia J. Davidson, Deputy Administrator, Office of Program Operations

FOR FURTHER INFORMATION CONTACT: Ms. Lucy Cunningham, Director, Office of Executive Resources, Room N2453, U.S. Department of Labor, Frances Perkins Building, 200 Constitution Ave. NW., Washington, DC 20210, telephone: (202) 693–6624.

Signed at Washington, DC on 19th day of August 2015.

Thomas E. Perez,

Secretary of Labor.

[FR Doc. 2015–21070 Filed 8–25–15; 8:45 am]

BILLING CODE 4510–23–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on September 9, 2015, Room T–2B3, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of the ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Wednesday, September 9, 2015—12:00 p.m. until 1:00 p.m.

The Subcommittee will discuss proposed ACRS activities and related matters. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Quynh Nguyen (Telephone 301–415–5844 or Email: *Quynh.Nguyen@nrc.gov*) five days prior to the meeting, if possible, so that arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided

within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 1, 2014 (79 FR 59307).

Information regarding changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the DFO if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (240–888–9835) to be escorted to the meeting room.

Dated: August 19, 2015.

Mark L. Banks,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2015–21167 Filed 8–25–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0079]

Information Collection: NRC's Policy Statement on Cooperation With States at Commercial Nuclear Power Plants and Other Nuclear Production and Utilization Facilities

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on this renewal of an existing information collection. The information collection is entitled, ''NRC's Policy Statement on Cooperation with States at Commercial Nuclear Power Plants and other Nuclear Production and Utilization Facilities.'' The NRC has a number of programs and activities that involve coordinating with States, requesting their input on proposed policies and rulemakings, and exchanging information with the States on a wide range of topics. The NRC has entered into cooperative agreements with States to conduct security inspections to verify that their materials licensees are in compliance with the NRC's orders requiring additional measures to enhance security at their facilities and to provide the NRC with information arising from their inspections.

DATES: Submit comments by October 26, 2015. 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 on or before this date.

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

- Federal rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0129. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; 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: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Tremaine Donnell, Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: (301) 415–6258; email: *INFOCOLLECTS.Resource@NRC.GOV.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0079 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0079.
- NRC's Agencywide Documents Access and Management System (ADAMS): You may obtain 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 supporting statement is available in ADAMS under Accession No. ML15173A222.
- 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.
- NRC's Clearance Officer: A copy of the collection of information and related instructions may be obtained without charge by contacting NRC's Clearance Officer, Tremaine Donnell, Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6258; email: *INFOCOLLECTS.Resource@NRC.GOV.*

B. Submitting Comments

Please include Docket ID NRC–2015–0079 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 in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized below.

1. *The title of the information collection:* Cooperation With States at Commercial Nuclear Power Plants and Other Nuclear Production and Utilization Facilities, Policy Statement.

2. *OMB approval number:* 3150–0163.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* N/A.

5. *How often the collection is required or requested:* On occasion, when a State or Tribe wishes to observe NRC inspection or perform inspections for the NRC or when a State or Tribe wishes to negotiate an agreement to observe or perform inspections. States with an agreement and State Resident Engineer have both regular reporting and occasion-specific reporting.

6. *Who will be required or asked to respond:* States and Tribes interested in observing or performing inspections.

7. *The estimated number of annual responses:* 248.

8. *The estimated number of annual respondents:* 36.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 815.

10. *Abstract:* States and Tribes are involved and interested in monitoring the safety status of nuclear power plants and radioactive materials. This involvement is, in part, in response to the States' and Tribes' public health and safety responsibilities and, in part, in response to their citizens' desire to become more knowledgeable about the safety of nuclear power plants and radioactive materials. States have identified NRC inspections as one possible source of knowledge for their personnel regarding plant and materials licensee activities, and the NRC, through the policy statement on Cooperation with States, has been amenable to accommodating the States' needs in this regard. Additionally, the NRC has been able to accommodate Tribal interests in the same way. The NRC has also entered into reimbursable Agreements with certain States under Section 274i of the Act, as amended, to employ their resources to conduct radioactive materials security inspections against NRC Orders.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the estimate of the burden of the information collection accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated at Rockville, Maryland, this 20th day of August, 2015.

For the Nuclear Regulatory Commission.

Tremaine Donnell,

NRC Clearance Officer, Office of Information Services.

[FR Doc. 2015–21035 Filed 8–25–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Notice of Meeting

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on September 9–12, 2015, 11545 Rockville Pike, Rockville, Maryland.

Wednesday, September 9, 2015, Conference Room T2–B1, 11545 Rockville Pike, Rockville, Maryland

1:00 p.m.–1:05 p.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

1:05 p.m.–4:00 p.m.: Review of the Containment Protection and Release Reduction (Open)—The Committee will hear presentations by and hold discussions with representatives of the staff, industry, and other members of the public regarding Containment Protection and Release Reduction for boiling water reactors with Mark I and Mark II containments.

4:15 p.m.–5:15 p.m.: Discussion of Commission Meeting Topics (Open)—The Committee will prepare for the upcoming meeting with the Commission.

5:15 p.m.–6:00 p.m.: Preparation of ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on matters discussed during this meeting.

Thursday, September 10, 2015, Conference Room T2–B1, 11545 Rockville Pike, Rockville, Maryland

8:30 a.m.–8:35 a.m.: Opening remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–11:00 a.m.: Braidwood/Byron Combined License Renewal Application (Open)—The Committee will hear presentations by and hold discussions with representatives of the staff and Exelon regarding the safety evaluation associated with the Braidwood/Byron combined license renewal application.

1:00 p.m.–3:00 p.m.: Advanced Light Water Reactor Probabilistic Risk Assessment Requirements Interim Stagg Guidance-DC/COL–ISG–028 (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the development of Interim Staff Guidance on probabilistic risk assessment requirements for advanced light water reactor license applications under Title 10 of the *Code of Federal Regulations* Part 52.

3:00 p.m.–4:00 p.m.: Meeting with Chairman Burns (Open)—The Committee will meet with Chairman Burns to discuss items of mutual interest.

4:00 p.m.–6:00 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports.

Friday, September 11, 2015, Conference Room T2–B1, 11545 Rockville Pike, Rockville, Maryland

8:30 a.m.–10:00 a.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee (Open/Closed)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the Full Committee during future ACRS Meetings, and matters related to the conduct of ACRS business, including anticipated workload and member assignments. [**Note:** A portion of this meeting may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.]

10:00 a.m.–10:15 a.m.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports and letters.

10:30 a.m.–11:00 a.m.: Assessment of the Quality of Selected Research Projects (Open)—The Committee will hold a discussion of the quality of selected NRC research projects.

11:00 a.m.–6:00 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters discussed during this meeting.

Saturday, September 12, 2015, Conference Room T2–B1, 11545 Rockville Pike, Rockville, Maryland

8:30 a.m.–11:30 a.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports.

11:30 a.m.–12:00 p.m.: Miscellaneous (Open)—The Committee will continue its discussion related to the conduct of Committee activities and specific issues that were not completed during previous meetings.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 1, 2014 (79 FR 59307). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Persons desiring to make oral statements should notify Quynh Nguyen, Cognizant ACRS Staff (Telephone: 301–415–5844, Email: *Quynh.Nguyen@nrc.gov*), 5 days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the Cognizant ACRS Staff if such rescheduling would result in major inconvenience.

Thirty-five hard copies of each presentation or handout should be provided 30 minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the Cognizant ACRS Staff one day before meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Cognizant ACRS Staff with a CD containing each presentation at least 30 minutes before the meeting.

In accordance with Subsection 10(d) of Public Law 92–463 and 5 U.S.C. 552b(c), certain portions of the September 11th meeting date may be closed, as specifically noted above. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Electronic recordings will be permitted only during the open portions of the meeting.

ACRS meeting agendas, meeting transcripts, and letter reports are available through the NRC Public Document Room at *pdr.resource@nrc.gov,* or by calling the PDR at 1–800–397–4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at *http://www.nrc.gov/reading-rm/adams.html* or *http://www.nrc.gov/reading-rm/doc-collections/ACRS/.*

Video teleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service should contact Mr. Theron Brown, ACRS Audio Visual Technician (301–415–8066), between 7:30 a.m. and 3:45 p.m. (Eastern Time), at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the video teleconferencing link. The availability of video teleconferencing services is not guaranteed.

Dated at Rockville, Maryland, this 20th day of August, 2015.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Acting Advisory Committee Management Officer.

[FR Doc. 2015–21159 Filed 8–25–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Meeting of the ACRS Subcommittee on Future Plant Designs; Notice of Meeting

The ACRS Subcommittee on Future Plant Designs will hold a meeting on September 9, 2015, Room T–2B1, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, September 9, 2015—8:30 a.m. until 10:30 a.m.

The Subcommittee will discuss the NuScale Design-Specific Review Standard. The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Maitri Banerjee (Telephone 301–415–6973 or Email: *Maitri.Banerjee@nrc.gov*) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 1, 2014, (79 FR 59307).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at *http://www.nrc.gov/reading-rm/doc-collections/acrs.* Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (Telephone 240–888–9835) to be escorted to the meeting room.

Dated: August 19, 2015.

Mark L. Banks,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2015–21164 Filed 8–25–15; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75743; File No. SR–NASDAQ–2015–096]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of Proposed Rule Change To Adopt a Kill Switch for NOM

August 20, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1], and Rule 19b–4 thereunder,[2] notice is hereby given that on August 7, 2015, 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 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 VI, Section 6, entitled ''Acceptance of Quotes and Orders,'' of the rules governing the NASDAQ Options Market (''NOM'' or ''Exchange''). The Exchange proposes to adopt an optional Kill Switch protection.

The text of the proposed rule change is available on the Exchange's Web site at *http://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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the filing is to adopt a new risk protection, a Kill Switch, applicable to all NOM Participants. The Kill Switch will allow NOM Participants to remove quotes and cancel open orders and prevent new order submission. This feature provides firms with a powerful risk management tool for immediate control of their quote and order activity.

The Exchange proposes to amend Chapter VI, Section 6, entitled ''Acceptance of Quotes and Orders,'' to add new section (d) to adopt the Kill Switch. The NASDAQ Options Kill Switch will be an optional tool that enables Participants to initiate a message(s) [3] to the System to: (i) Promptly remove quotes; and/or (ii) promptly cancel orders. Participants may submit a request to the System to remove/cancel quotes and/or orders based on certain identifiers on either a user or group level. Participants may elect to remove quotes and cancel orders by Exchange account, port, and/or badge or mnemonic (''Identifier'') or by a group (one or more Identifier combinations),[4] which are provided by such Participant to the Exchange.[5] Participants may not remove quotes/orders by symbol. The System will send an automated message to the Participant when a Kill Switch request has been processed by the Exchange's System.

If the Participant selects quotes to be cancelled utilizing the Kill Switch, the NOM Participant must send a message to the Exchange to request the removal of all quotes requested for the certain specified Identifier(s).[6] The NOM Participant will be unable to enter any additional quotes for the affected Identifier(s) until re-entry has been enabled pursuant to proposed section (d)(iii).[7]

If the Participant selects orders to be cancelled utilizing the Kill Switch, the NOM Participant must send a message to the Exchange to request the cancellation of all orders requested for the certain specified Identifier(s).[8] The NOM Participant will be unable to enter additional orders for the affected Identifier(s) until re-entry has been enabled pursuant to section (d)(iii).

Proposed section (d)(iii) stipulates that after quotes and/or orders are removed/cancelled by the NOM Participant utilizing the Kill Switch, the NOM Participant will be unable to enter additional quotes and/or orders for the affected Identifier(s) until the NOM Participant has made a request to the Exchange and Exchange staff has set a re-entry indicator to enable re-entry.[9] Once enabled for re-entry, the System will send a Re-entry Notification Message to the NOM Participant. The applicable Clearing Participant for that NOM Participant also will be notified of the re-entry into the System after quotes and/or orders are removed/cancelled as a result of the Kill Switch, provided the Clearing Participant has requested to receive such notification.

The Exchange offers many risk mitigation and management tools today including, but not limited to, certain rapid fire risk controls,[10] 15c3–5 risk controls, Order Price Protections,[11] and cancel on disconnect and purge functionality for Specialized Quote Feed (SQF), Ouch to Trade Orders (OTTO) and FIX. The Kill Switch offers Participants a means to control their exposure, through an interface which is not dependent on the integrity of the Participant's own systems, should the Participant experience a failure.

The Exchange proposes to implement this rule within ninety (90) days of the implementation date. The Exchange will issue an Options Trader Alert in advance to inform market participants of such date.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act [12] in general, and furthers the objectives of Section 6(b)(5) of the Act [13] 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, by enhancing the risk protections available

[3] NOM Participants will be able to utilize an interface to send a message to the Exchange to initiate the Kill Switch or they may contact the Exchange directly.

[4] The type of group permissible would be within a broker-dealer. For example, this could be including but not limited to all market maker accounts or all order entry ports.

[5] Orders submitted by NOM Market Makers over Ouch to Trade Options (OTTO) interface will be treated as quotes for purposes of this rule.

[6] *See* note 3.

[7] Sweeps will also be cancelled. A sweep is a one-sided electronic quote submitted over the Specialized Quote Feed, which is the market making quoting interface.

[8] *See* note 3.

[9] The NOM Participant must directly and verbally contact the Exchange to request the re-set.

[10] *See* NOM Rules at Chapter VII, Section 6(f).

[11] *See* NOM Rules at Chapter VI, Section 18.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

to Exchange members. The proposal promotes policy goals of the Commission which has encouraged execution venues, exchange and non-exchange alike, to enhance risk protection tools and other mechanisms to decrease risk and increase stability.

The individual firm benefits of enhanced risk protections flow downstream to counter-parties both at the Exchange and at other options exchanges, thereby increasing systemic protections as well. Additionally, because the Exchange offers this risk tool to all NOM Participants, the Exchange believes it will encourage liquidity generally and remove impediments to and perfect the mechanism of a free and open market and a national market system and protect investors and the public interest.

This optional risk tool as noted above will be offered to all NOM Participants. The Exchange further represents that its proposal will operate consistently with the firm quote obligations of a broker-dealer pursuant to Rule 602 of Regulation NMS and that the functionality is not mandatory. Specifically, any interest that is executable against a NOM Participant's quotes and orders that are received [14] by the Exchange prior to the time the Kill Switch is processed by the System will automatically execute at the price up to the NOM Participant's size. The Kill Switch message will be accepted by the System in the order of receipt in the queue and will be processed in that order so that interest that is already accepted into the System will be processed prior to the Kill Switch message.

A NOM Market Makers' obligation to provide continuous two-sided quotes on a daily basis is not diminished by the removal of such quotes and/or orders by utilizing the Kill Switch. NOM Market Makers will be required to provide continuous two-sided quotes on a daily basis. NOM Market Makers that utilize the Kill Switch will not be relieved of the obligation to provide continuous two-sided quotes on a daily basis, nor will it prohibit the Exchange from taking disciplinary action against a NOM Market Maker for failing to meet the continuous quoting obligation each trading day.

With respect to providing information regarding the removal of quotes and/or cancellation of orders as a result of the Kill Switch to the Clearing Participant, each Member that transacts through a Clearing Member on the Exchange executes a Letter of Guarantee wherein the Clearing Member accepts financial responsibility for all Exchange transactions made by the NOM Participant on whose behalf the Clearing Member submits the letter of guarantee. The Exchange believes that because Clearing Members guarantee all transactions on behalf of a Participant, and therefore bear the risk associated with those transactions, it is appropriate for Clearing Members to have knowledge of the utilization of the Kill Switch, should the Clearing Member request such notification.

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 proposal does not impose an undue burden on inter-market competition because all NOM Participants may avail themselves of the Kill Switch, which functionality will be optional. The proposed rule change is meant to protect NOM Participants in the event the NOM Participant is suffering from a systems issue or from the occurrence of unusual or unexpected market activity that would require them to withdraw from the market in order to protect investors. The ability to control risk at either the user or group level will permit the NOM Participant to protect itself from inadvertent exposure to excessive risk at the each level. Reducing such risk will enable NOM Participants to enter quotes and orders without any fear of inadvertent exposure to excessive risk, which in turn will benefit investors through increased liquidity for the execution of their orders. Such increased liquidity benefits investors because they receive better prices and because it lowers volatility in the options market. For these reasons, the Exchange does not believe this proposal imposes an undue burden on inter-market competition, rather the proposed rule change will have no impact on competition.

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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission shall: (a) By order approve or disapprove such proposed rule change, or (b) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NASDAQ–2015–096 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–2015–096. 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.

[14] The time of receipt for an order or quote is the time such message is processed by the Exchange book.

All submissions should refer to File Number SR–NASDAQ–2015–096 and should be submitted on or before September 16, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–21080 Filed 8–25–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75746; File No. SR–EDGX–2015–37]

Self-Regulatory Organizations; EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Rule 2.11, BATS Trading as Outbound Router

August 20, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 11, 2015, EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6)(iii) thereunder,[4] which renders it effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange filed a proposal to amend Rule 2.11, BATS Trading as Outbound Router, in order to conform to the rules of BATS Exchange, Inc. (''BZX'') and BATS Y-Exchange, Inc. (''BYX'').[5]

The text of the proposed rule change is available at the Exchange's Web site at *www.batstrading.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In early 2014, the Exchange and its affiliate, EDGA Exchange, Inc. (''EDGA''), received approval to effect a merger (the ''Merger'') of the Exchange's parent company, Direct Edge Holdings LLC, with BATS Global Markets, Inc., the parent of BZX and BYX (together with EDGA, and EDGX, the ''BGM Affiliated Exchanges'').[6] In the context of the Merger, the BGM Affiliated Exchanges are working to align certain system and regulatory functionality, retaining only intended differences between the BGM Affiliated Exchanges. Thus, the proposal set forth below is intended to amend Rule 2.11, BATS Trading as an Outbound Router, to make such Rule identical to the corresponding Rule 2.11 on BZX and BYX. The Exchange does not propose to alter its current system functionality with regard to its use of BATS Trading, Inc. (''BATS Trading'') as an outbound router and its use of an error account. Rather, the proposed rule change is designed to provide a consistent rule set across each of the BGM Affiliated Exchanges.[7]

Pursuant to Exchange Rule 2.11, the Exchange relies on BATS Trading to provide outbound routing services from itself to a routing destination. Rule 2.11 also provides the authority to the Exchange or BATS Trading to cancel orders on the Exchange's equity securities platform when a technical or system issue occurs. Rule 2.11 also describes the operation of an error account for BATS Trading. The Exchange proposes to make the amendments to Rule 2.11 described below to align each subparagraph with the corresponding subparagraph within BZX and BYX Rules 2.11.[8] Again, none of these proposed changes alter the authority of the Exchange or BATS Trading to cancel orders that result from a technical or system issue nor do they amend the operation of an error account for BATS Trading.

First, the Exchange proposes to make the follow ministerial changes to Rule 2.11 to conform to BZX and BYX Rules 2.11, none of which amend the substance or meaning of each section of the rule:

- Add '', Inc.'' after ''BATS Trading'' in the title of Rule 2.11 to align with the title of BZX and BYX Rules 2.11; and
- Replace the word ''accordance'' with the word ''compliance'' in subparagraph (a)(4) to align with BZX and BYX Rules 2.11(a)(4);

None of the above changes alter the meaning of each subparagraph. They are simply intended to align each subparagraph with the corresponding subparagraph within Rule 2.11.

Second, the Exchange proposes to amend Rule 2.11(a)(6) to align with BZX and BYX Rules 2.11(a)(6). Rule 2.11(a)(6) will continue to provide that the Exchange or BATS Trading may cancel orders as either deems to be necessary to maintain fair and orderly markets if a technical or systems issue occurs at the Exchange, BATS Trading or a routing destination. The Exchange proposes to replace: (i) The phrase ''if and when a systems, technical or operational issue'' with ''if a technical or systems issue''; and (ii) the term ''Trading Center'' with ''routing destination.'' Replacement of these terms do not alter the meaning of Rule 2.11(a)(6). Rather, they simply align the rule's text with that of BZX and BYX Rules 2.11(a)(6). To further align the rule text with BZX and BYX Rules 2.11(a)(6), the Exchange proposes to delete the phrase ''of orders'' from the last sentence of Exchange Rule 2.11(a)(6). Rule 2.11(a)(6) will continue to require that the Exchange or BATS Trading provide notice of the cancellation of orders to affected Members as soon as practicable.

Third, the Exchange proposes to amend Rule 2.11(a)(7) to align with BZX

[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)(6)(iii).

[5] *See* BZX and BYX Rules 2.11. *See also* Securities Exchange Act Release Nos. 69744 (June 12, 2015), 78 FR 36612 (June 18, 2015) (SR–BYX–2013–018); *and* 69744 (June 12, 2013), 78 FR 36621 (June 18, 2015) (SR–BATS–2013–032) (notices of filing and immediate effectiveness of proposed rule changes to amend BYX and BZX Rules 2.11, entitled ''BATS Trading, Inc. as Outbound Router'').

[6] *See* Securities Exchange Act Release No. 71449 (January 30, 2014), 79 FR 6961 (February 5, 2014) (SR–EDGX–2013–043; SR–EDGA–2013–034).

[7] *See* BZX and BYX Rules 2.11. The Exchange notes that EDGA intends to file a similar proposal that will align the rules related to its use of BATS Trading as an outbound router across each of the BGM Affiliated Exchanges.

[8] The Exchange notes that it does not propose to amend Rules 2.11(a)(1)—(3) and (b) as those subparagraphs are identical to BZX and BYX Rules 2.11(a)(1)–(3) and (b).

and BYX Rules 2.11(a)(7). Subparagraph (a)(7) currently states the following:

BATS Trading shall maintain an error account for the purpose of liquidating an error position when such position, in the judgment of the Exchange or BATS Trading subject to the factors described herein, cannot be fairly and practicably assigned to one or more Members in its entirety. An error position can be acquired if it results from a systems, technical or operational issue experienced by BATS Trading, by the Exchange or by a Trading Center to which BATS Trading directed an outbound order.

The Exchange proposes to replace subparagraph (a)(7) in its entirety. As amended subparagraph (a)(7) would define ''Error Positions'' as ''positions that are the result of an execution or executions that are not clearly erroneous under Rule 11.15 and result from a technical or systems issue at BATS Trading, the Exchange, a routing destination, or a non-affiliate third-party Routing Broker that affects one or more orders.'' Subparagraph (a)(7) would also continue to state that BATS Trading will maintain an error account for the purpose of addressing Error Positions. The assignment and liquidation of Error Positions discussed under current subparagraph (a)(7) will be addressed under the proposed amendments to subparagraph (a)(7)(D) discussed below.

Fourth, the Exchange proposes to amend subparagraph (a)(7)(A) to add the word ''this'' before ''Rule 2.11(a)(7)'' and capitalize reference to Error Positions to align with BZX and BYX Rules 2.11(a)(7)(A). Notwithstanding these changes, subparagraph (a)(7)(A) will continue to require that an Error Position not include any position that results from an order submitted by a Member to the Exchange that is executed on the Exchange and automatically processed for clearance and settlement on a locked-in basis.

Fifth, the Exchange proposes to amend subparagraph (a)(7)(B) to pluralize references to the term ''position'' to align with BZX and BYX Rules 2.11(a)(7)(B). Subparagraph (a)(7)(B) shall continue to require that, except as provided in Rule 2.11(a)(7)(C) (described below), BATS Trading not (i) accept any positions in its error account from an account of a Member, or (ii) permit any Member to transfer any positions from the Member's account to BATS Trading's error account.

Sixth, the Exchange proposes to amend subparagraph (a)(7)(C) to replace reference to: (i) a ''systems, technical or operational issue'' with ''technical or systems issue'' and; (ii) ''a Member's trade'' with ''a Member to a trade''. As amended, subparagraph (a)(7)(C) would state that if a technical or systems issue results in the Exchange not having valid clearing instructions for a Member to a trade, BATS Trading may assume that Member's side of the trade so that the trade can be automatically processed for clearance and settlement on a locked-in basis. These changes to align subparagraph (a)(7)(C) with BZX and BYX Rules 2.11(a)(7)(C) and do not alter its meaning or application.

Lastly, the Exchange proposes to replace subparagraphs (a)(7)(D), (E), and (F) in their entirety with new subparagraphs (D) and (E), the text of which are identical to BZX and BYX Rules 2.11(a)(7)(D) and (E). Subparagraph (D) would state that, in connection with a particular technical or systems issue, BATS Trading or the Exchange shall either (1) assign all resulting Error Positions to Members in accordance with paragraph (i) below, or (2) have all resulting Error Positions liquidated in accordance with subparagraph (ii) below. This provision is similar to current subparagraph (a)(7)(D) and (E). Subparagraph (D) would further require that any determination to assign or liquidate Error Positions, as well as any resulting assignments, shall be made in a nondiscriminatory fashion. This provision is substantially similar to current subparagraphs (a)(7)(F)(ii).

Proposed subparagraph (a)(7)(D)(i) would govern the assignment of Error Positions. Specifically, BATS Trading or the Exchange are required to assign all Error Positions resulting from a particular technical or systems issue to the Members affected by that technical or systems issue if BATS Trading or the Exchange: (i) Determines under proposed subparagraph (a)(7)(D)(i)(1) that it has accurate and sufficient information (including valid clearing information) to assign the positions to all of the Members affected by that technical or systems issue; (ii) determines under proposed subparagraph (a)(7)(D)(i)(2) that it has sufficient time pursuant to normal clearance and settlement deadlines to evaluate the information necessary to assign the positions to all of the Members affected by that technical or systems issue; and (iii) has not determined under proposed subparagraph (a)(7)(D)(i)(3) to cancel all orders affected by that technical or systems issue in accordance with subparagraph (a)(6) discussed above. These provisions are similar to current subparagraphs (a)(7)(D)(i) and (ii) as well as current subparagraphs (a)(7)(F) and (F)(i).

Proposed subparagraph (a)(7)(D)(ii) would govern the liquidation of Error Positions. Under proposed subparagraph (a)(7)(D)(ii) BATS Trading must liquidate any Error Positions as soon as practicable where it or the Exchange is unable to assign all Error Positions resulting from a particular technical or systems issue to all of the affected Members in accordance with subparagraph (D) discussed above, or if BATS Trading or the Exchange determines to cancel all orders affected by the technical or systems issue in accordance with subparagraph (a)(6) above. This provision is substantially similar to current subparagraphs (a)(7)(E).

In liquidating such Error Positions, proposed subparagraph (a)(7)(D)(ii)(1) and (2) require BATS Trading to: (i) Provide complete time and price discretion for the trading to liquidate the Error Positions to a third-party broker-dealer and shall not attempt to exercise any influence or control over the timing or methods of such trading; and (ii) establish and enforce policies and procedures that are reasonably designed to restrict the flow of confidential and proprietary information between the third-party broker-dealer and BATS Trading/the Exchange associated with the liquidation of the Error Positions. These provisions are similar to current subparagraphs (a)(7)(E)(i) and (ii).

Proposed subparagraph (a)(7)(E) would require BATS Trading and the Exchange to make and keep records to document all determinations to treat positions as Error Positions and all determinations for the assignment of Error Positions to Members or the liquidation of Error Positions, as well as records associated with the liquidation of Error Positions through the third-party broker-dealer. This provision is substantially similar to current subparagraphs (a)(7)(F)(ii).

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.[9] Specifically, the proposed change is consistent with Section 6(b)(5) of the Act,[10] because it is designed to promote just and equitable principles of trade, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange does not propose to alter its current system

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

functionality with regard the treatment of Error Positions set forth under current Exchange Rules. Rather, the proposed rule change is designed to provide a consistent rule set across each of the BGM Affiliated Exchanges. As mentioned above, the proposed rule changes, combined with the planned filing for EDGA,[11] would allow the BGM Affiliated Exchanges to provide a consistent set of rules as it relates to the treatment of Error Positions across each of the BGM Affiliated Exchanges. Consistent rules, in turn, will simplify the regulatory requirements for Members of the Exchange that are also participants on EDGA, BZX and/or BYX. The proposed rule change would provide greater harmonization between rules of similar purpose on the BGM Affiliated Exchanges, resulting in greater uniformity and less burdensome and more efficient regulatory compliance and understanding of Exchange Rules. As such, the proposed rule change would foster cooperation and coordination with persons engaged in facilitating transactions in securities and would remove impediments to and perfect the mechanism of a free and open market and a national market system. Similarly, the Exchange also believes that, by harmonizing the rules and across each BGM Affiliated Exchange with respect to the treatment of Error Positions, the proposal will provide consistent rules and methodology for handling Error Positions across the BGM Affiliated Exchanges, meaning that the proposed rule change is equitable and will promote fairness in the market place.

(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. To the contrary, allowing the Exchange to implement substantively identical rules across each of the BGM Affiliated Exchanges regarding the treatment of Error Positions does not present any competitive issues, but rather is designed to provide greater harmonization among Exchange, EDGA, BYX, and BZX rules of similar purpose.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

[11] *See* supra note 7.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act[12] and paragraph (f)(6) of Rule 19b–4 thereunder.[13] The proposed rule change effects a change that (A) does not significantly affect the protection of investors or the public interest; (B) does not impose any significant burden on competition; and (C) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest; provided that the self-regulatory organization has given 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, or such shorter time as designated by the Commission.[14]

A proposed rule change filed under Rule 19b–4(f)(6)[15] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[16] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange believes that waiver of the 30-day operative delay would benefit investors because it will allow the Exchange to have consistent rules across each of the BGM Affiliated Exchanges regarding the treatment of Error Positions. The Exchange also notes that the proposed rule change does not alter its current system functionality with regard to the treatment of Error Positions set forth under current Exchange Rules. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest as it will harmonize the treatment of Error Positions across the BGM Affiliated Exchanges. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing with the Commission.[17]

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4.

[14] The Exchange has fulfilled this requirement.

[15] 17 CFR 240.19b–4(f)(6).

[16] 17 CFR 240.19b–4(f)(6)(iii).

[17] For purposes only of waiving the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily temporarily suspend such rule change if it appears to the Commission that such action is: (1) Necessary or appropriate in the public interest; (2) for the protection of investors; or (3) 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 proposal 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 No. SR–EDGX–2015–37 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 No. SR–EDGX–2015–37. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing will also 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 No. SR–EDGX–2015–37 and should be submitted on or before September 16, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–21083 Filed 8–25–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75745; File No. SR–EDGA–2015–32]

Self-Regulatory Organizations; EDGA Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Rule 2.11, BATS Trading as Outbound Router

August 20, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 11, 2015, EDGA Exchange, Inc. (the ''Exchange'' or ''EDGA'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6)(iii) thereunder,[4] which renders it effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange filed a proposal to amend Rule 2.11, BATS Trading as Outbound Router, in order to conform to the rules of BATS Exchange, Inc. (''BZX'') and BATS Y-Exchange, Inc. (''BYX'').[5]

The text of the proposed rule change is available at the Exchange's Web site at *www.batstrading.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In early 2014, the Exchange and its affiliate, EDGX Exchange, Inc. (''EDGX''), received approval to effect a merger (the ''Merger'') of the Exchange's parent company, Direct Edge Holdings LLC, with BATS Global Markets, Inc., the parent of BZX and BYX (together with EDGA, and EDGX, the ''BGM Affiliated Exchanges'').[6] In the context of the Merger, the BGM Affiliated Exchanges are working to align certain system and regulatory functionality, retaining only intended differences between the BGM Affiliated Exchanges. Thus, the proposal set forth below is intended to amend Rule 2.11, BATS Trading as an Outbound Router, to make such Rule identical to the corresponding Rule 2.11 on BZX and BYX. The Exchange does not propose to alter its current system functionality with regard to its use of BATS Trading, Inc. (''BATS Trading'') as an outbound router and its use of an error account. Rather, the proposed rule change is designed to provide a consistent rule set across each of the BGM Affiliated Exchanges.[7]

Pursuant to Exchange Rule 2.11, the Exchange relies on BATS Trading to provide outbound routing services from itself to a routing destination. Rule 2.11 also provides the authority to the Exchange or BATS Trading to cancel orders on the Exchange's equity securities platform when a technical or system issue occurs. Rule 2.11 also describes the operation of an error account for BATS Trading. The Exchange proposes to make the amendments to Rule 2.11 described below to align each subparagraph with the corresponding subparagraph within BZX and BYX Rules 2.11.[8] Again, none of these proposed changes alter the authority of the Exchange or BATS Trading to cancel orders that result from a technical or system issue nor do they amend the operation of an error account for BATS Trading.

First, the Exchange proposes to make the follow ministerial changes to Rule 2.11 to conform to BZX and BYX Rules 2.11, none of which amend the substance or meaning of each section of the rule:

- Add '', Inc.'' after ''BATS Trading'' in the title of Rule 2.11 to align with the title of BZX and BYX Rules 2.11; and
- Replace the word ''accordance'' with the word ''compliance'' in subparagraph (a)(4) to align with BZX and BYX Rules 2.11(a)(4);

None of the above changes alter the meaning of each subparagraph. They are simply intended to align each subparagraph with the corresponding subparagraph within Rule 2.11.

Second, the Exchange proposes to amend Rule 2.11(a)(6) to align with BZX and BYX Rules 2.11(a)(6). Rule 2.11(a)(6) will continue to provide that the Exchange or BATS Trading may cancel orders as either deems to be necessary to maintain fair and orderly markets if a technical or systems issue occurs at the Exchange, BATS Trading or a routing destination. The Exchange proposes to replace: (i) The phrase ''if and when a systems, technical or operational issue'' with ''if a technical or systems issue''; and (ii) the term ''Trading Center'' with ''routing destination.'' Replacement of these terms do not alter the meaning of Rule 2.11(a)(6). Rather, they simply align the rule's text with that of BZX and BYX Rules 2.11(a)(6). To further align the rule text with BZX and BYX Rules 2.11(a)(6), the Exchange proposes to delete the phrase ''of orders'' from the last sentence of Exchange Rule

[18] 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)(6)(iii).

[5] *See* BZX and BYX Rules 2.11. *See also* Securities Exchange Act Release Nos. 69744 (June 12, 2015), 78 FR 36612 (June 18, 2015) (SR–BYX–2013–018); *and* 69744 (June 12, 2013), 78 FR 36621 (June 18, 2015) (SR–BATS–2013–032) (notices of filing and immediate effectiveness of proposed rule changes to amend BYX and BZX Rules 2.11, entitled ''BATS Trading, Inc. as Outbound Router'').

[6] *See* Securities Exchange Act Release No. 71449 (January 30, 2014), 79 FR 6961 (February 5, 2014) (SR–EDGX–2013–043; SR–EDGA–2013–034).

[7] *See* BZX and BYX Rules 2.11. The Exchange notes that EDGX intends to file a similar proposal that will align the rules related to its use of BATS Trading as an outbound router across each of the BGM Affiliated Exchanges.

[8] The Exchange notes that it does not propose to amend Rules 2.11(a)(1)–(3) and (b) as those subparagraph are identical to BZX and BYX Rules 2.11(a)(1)–(3) and (b).

2.11(a)(6). Rule 2.11(a)(6) will continue to require that the Exchange or BATS Trading provide notice of the cancellation of orders to affected Members as soon as practicable.

Third, the Exchange proposes to amend Rule 2.11(a)(7) to align with BZX and BYX Rules 2.11(a)(7). Subparagraph (a)(7) currently states the following:

> BATS Trading shall maintain an error account for the purpose of liquidating an error position when such position, in the judgment of the Exchange or BATS Trading subject to the factors described herein, cannot be fairly and practicably assigned to one or more Members in its entirety. An error position can be acquired if it results from a systems, technical or operational issue experienced by BATS Trading, by the Exchange or by a Trading Center to which BATS Trading directed an outbound order.

The Exchange proposes to replace subparagraph (a)(7) in its entirety. As amended subparagraph (a)(7) would define ''Error Positions'' as ''positions that are the result of an execution or executions that are not clearly erroneous under Rule 11.15 and result from a technical or systems issue at BATS Trading, the Exchange, a routing destination, or a non-affiliate third-party Routing Broker that affects one or more orders.'' Subparagraph (a)(7) would also continue to state that BATS Trading will maintain an error account for the purpose of addressing Error Positions. The assignment and liquidation of Error Positions discussed under current subparagraph (a)(7) will be addressed under the proposed amendments to subparagraph (a)(7)(D) discussed below.

Fourth, the Exchange proposes to amend subparagraph (a)(7)(A) to add the word ''this'' before ''Rule 2.11(a)(7)'' and capitalize reference to Error Positions to align with BZX and BYX Rules 2.11(a)(7)(A). Notwithstanding these changes, subparagraph (a)(7)(A) will continue to require that an Error Position not include any position that results from an order submitted by a Member to the Exchange that is executed on the Exchange and automatically processed for clearance and settlement on a locked-in basis.

Fifth, the Exchange proposes to amend subparagraph (a)(7)(B) to pluralize references to the term ''position'' to align with BZX and BYX Rules 2.11(a)(7)(B). Subparagraph (a)(7)(B) shall continue to require that, except as provided in Rule 2.11(a)(7)(C) (described below), BATS Trading not (i) accept any positions in its error account from an account of a Member, or (ii) permit any Member to transfer any positions from the Member's account to BATS Trading's error account.

Sixth, the Exchange proposes to amend subparagraph (a)(7)(C) to replace reference to: (i) A ''systems, technical or operational issue'' with ''technical or systems issue'' and; (ii) ''a Member's trade'' with ''a Member to a trade''. As amended, subparagraph (a)(7)(C) would state that if a technical or systems issue results in the Exchange not having valid clearing instructions for a Member to a trade, BATS Trading may assume that Member's side of the trade so that the trade can be automatically processed for clearance and settlement on a locked-in basis. These changes to align subparagraph (a)(7)(C) with BZX and BYX Rules 2.11(a)(7)(C) and do not alter its meaning or application.

Lastly, the Exchange proposes to replace subparagraphs (a)(7)(D), (E), and (F) in their entirety with new subparagraphs (D) and (E), the text of which are identical to BZX and BYX Rules 2.11(a)(7)(D) and (E). Subparagraph (D) would state that, in connection with a particular technical or systems issue, BATS Trading or the Exchange shall either (1) assign all resulting Error Positions to Members in accordance with paragraph (i) below, or (2) have all resulting Error Positions liquidated in accordance with subparagraph (ii) below. This provision is similar to current subparagraph (a)(7)(D) and (E). Subparagraph (D) would further require that any determination to assign or liquidate Error Positions, as well as any resulting assignments, shall be made in a nondiscriminatory fashion. This provision is substantially similar to current subparagraphs (a)(7)(F)(ii).

Proposed subparagraph (a)(7)(D)(i) would govern the assignment of Error Positions. Specifically, BATS Trading or the Exchange are required to assign all Error Positions resulting from a particular technical or systems issue to the Members affected by that technical or systems issue if BATS Trading or the Exchange: (i) Determines under proposed subparagraph (a)(7)(D)(i)(1) that it has accurate and sufficient information (including valid clearing information) to assign the positions to all of the Members affected by that technical or systems issue; (ii) determines under proposed subparagraph (a)(7)(D)(i)(2) that it has sufficient time pursuant to normal clearance and settlement deadlines to evaluate the information necessary to assign the positions to all of the Members affected by that technical or systems issue; and (iii) has not determined under proposed subparagraph (a)(7)(D)(i)(3) to cancel all orders affected by that technical or systems issue in accordance with subparagraph (a)(6) discussed above. These provisions are similar to current subparagraphs (a)(7)(D)(i) and (ii) as well as current subparagraphs (a)(7)(F) and (F)(i).

Proposed subparagraph (a)(7)(D)(ii) would govern the liquidation of Error Positions. Under proposed subparagraph (a)(7)(D)(ii) BATS Trading must liquidate any Error Positions as soon as practicable where it or the Exchange is unable to assign all Error Positions resulting from a particular technical or systems issue to all of the affected Members in accordance with subparagraph (D) discussed above, or if BATS Trading or the Exchange determines to cancel all orders affected by the technical or systems issue in accordance with subparagraph (a)(6) above. This provision is substantially similar to current subparagraphs (a)(7)(E).

In liquidating such Error Positions, proposed subparagraph (a)(7)(D)(ii)(1) and (2) require BATS Trading to: (i) Provide complete time and price discretion for the trading to liquidate the Error Positions to a third-party broker-dealer and shall not attempt to exercise any influence or control over the timing or methods of such trading; and (ii) establish and enforce policies and procedures that are reasonably designed to restrict the flow of confidential and proprietary information between the third-party broker-dealer and BATS Trading/the Exchange associated with the liquidation of the Error Positions. These provisions are similar to current subparagraphs (a)(7)(E)(i) and (ii).

Proposed subparagraph (a)(7)(E) would require BATS Trading and the Exchange to make and keep records to document all determinations to treat positions as Error Positions and all determinations for the assignment of Error Positions to Members or the liquidation of Error Positions, as well as records associated with the liquidation of Error Positions through the third-party broker-dealer. This provision is substantially similar to current subparagraphs (a)(7)(F)(ii).

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.[9] Specifically, the proposed change is consistent with Section 6(b)(5) of the

[9] 15 U.S.C. 78f(b).

Act,[10] because it is designed to promote just and equitable principles of trade, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange does not propose to alter its current system functionality with regard the treatment of Error Positions set forth under current Exchange Rules. Rather, the proposed rule change is designed to provide a consistent rule set across each of the BGM Affiliated Exchanges. As mentioned above, the proposed rule changes, combined with the planned filing for EDGX,[11] would allow the BGM Affiliated Exchanges to provide a consistent set of rules as it relates to the treatment of Error Positions across each of the BGM Affiliated Exchanges. Consistent rules, in turn, will simplify the regulatory requirements for Members of the Exchange that are also participants on EDGX, BZX and/or BYX. The proposed rule change would provide greater harmonization between rules of similar purpose on the BGM Affiliated Exchanges, resulting in greater uniformity and less burdensome and more efficient regulatory compliance and understanding of Exchange Rules. As such, the proposed rule change would foster cooperation and coordination with persons engaged in facilitating transactions in securities and would remove impediments to and perfect the mechanism of a free and open market and a national market system. Similarly, the Exchange also believes that, by harmonizing the rules and across each BGM Affiliated Exchange with respect to the treatment of Error Positions, the proposal will provide consistent rules and methodology for handling Error Positions across the BGM Affiliated Exchanges, meaning that the proposed rule change is equitable and will promote fairness in the market place.

(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. To the contrary, allowing the Exchange to implement substantively identical rules across each of the BGM Affiliated Exchanges regarding the treatment of Error Positions does not present any competitive issues, but rather is designed to provide greater harmonization among Exchange, EDGX, BYX, and BZX rules of similar purpose.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act[12] and paragraph (f)(6) of Rule 19b–4 thereunder.[13] The proposed rule change effects a change that: (A) Does not significantly affect the protection of investors or the public interest; (B) does not impose any significant burden on competition; and (C) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest; provided that the self-regulatory organization has given 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, or such shorter time as designated by the Commission.[14]

A proposed rule change filed under Rule 19b–4(f)(6)[15] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[16] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange believes that waiver of the 30-day operative delay would benefit investors because it will allow the Exchange to have consistent rules across each of the BGM Affiliated Exchanges regarding the treatment of Error Positions. The Exchange also notes that the proposed rule change does not alter its current system functionality with regard to the treatment of Error Positions set forth under current Exchange Rules. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest as it will harmonize the treatment of Error Positions across the BGM Affiliated Exchanges. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing with the Commission.[17]

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: (1) Necessary or appropriate in the public interest; (2) for the protection of investors; or (3) 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 proposal 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 No. SR–EDGA–2015–32 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 No. SR–EDGA–2015–32. 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

[10] 15 U.S.C. 78f(b)(5).

[11] *See* supra note 7.

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4.

[14] The Exchange has fulfilled this requirement.

[15] 17 CFR 240.19b–4(f)(6).

[16] 17 CFR 240.19b–4(f)(6)(iii).

[17] For purposes only of waiving the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing will also 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 No. SR–EDGA–2015–32 and should be submitted on or before September 16, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–21082 Filed 8–25–15; 8:45 am]

BILLING CODE 8011–01–P

[18] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14428 and #14429]

Missouri Disaster #MO–00075

AGENCY: U.S. Small Business Administration.

ACTION: Notice

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Missouri Dated 08/18/15.

Incident: Severe storms, tornadoes, straight-line winds and flooding.

Incident Period: 05/15/2015 through 07/27/2015.

Effective Date: 08/18/2015.

Physical Loan Application Deadline Date: 10/19/2015.

Economic Injury (EIDL) Loan Application Deadline Date: 05/18/2016.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Jefferson, Lincoln, Marion.

Contiguous Counties:

Missouri: Franklin, Lewis, Monroe, Montgomery, Pike, Ralls, Saint Charles, Saint Francois, Saint Louis, Sainte Genevieve, Shelby, Warren, Washington.

Illinois: Adams, Calhoun, Monroe Pike.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	3.375
Homeowners without Credit Available Elsewhere	1.688
Businesses with Credit Available Elsewhere	6.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere	2.625
Non-Profit Organizations without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 14428 B and for economic injury is 14429 0.

The States which received an EIDL Declaration # are Missouri, Illinois.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: August 18, 2015.

Maria Contreras-Sweet.

Administrator.

[FR Doc. 2015–21063 Filed 8–25–15; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #14432 and #14433]

Virginia Disaster #VA–00057

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the Commonwealth of Virginia dated 08/18/2015.

Incident: Severe Weather and Flooding.

Incident Period: 07/05/2015.

DATES:

Effective Date: 08/18/2015.

Physical Loan Application Deadline Date: 10/19/2015.

Economic Injury (EIDL) Loan Application Deadline Date: 05/18/2016.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Tazewell.

Contiguous Counties:

Virginia: Bland, Buchanan, Russell, Smyth.

West Virginia: Mcdowell, Mercer.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	3.375
Homeowners Without Credit Available Elsewhere	1.688
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000
Non-Profit Organizations With Credit Available Elsewhere	2.625
Non-Profit Organizations Without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 14432 6 and for economic injury is 14433 0.

The States which received an EIDL Declaration # are Virginia; West Virginia.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: August 18, 2015.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2015–21062 Filed 8–25–15; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 14430 and # 14431]

Indiana Disaster # IN–00055

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Indiana dated 08/18/2015.

Incident: Severe Storms, Tornadoes, and Flooding.

Incident Period: 06/07/2015 through 07/29/2015.

Effective Date: 08/18/2015.

Physical Loan Application Deadline Date: 10/19/2015.

Economic Injury (EIDL) Loan Application Deadline Date: 05/18/2016.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Brown, Huntington, Jay, Jefferson, Morgan.

Contiguous Counties:

Indiana: Adams, Allen, Bartholomew, Blackford, Clark, Delaware, Grant, Hendricks, Jackson, Jennings, Johnson, Marion, Monroe, Owen, Putnam, Randolph, Ripley, Scott, Switzerland, Wabash, Wells, Whitley.

Kentucky: Carroll, Trimble.

Ohio: Darke, Mercer.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	3.375
Homeowners Without Credit Available Elsewhere	1.688
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000
Non-Profit Organizations With Credit Available Elsewhere	2.625
Non-Profit Organizations Without Credit Available Elsewhere	2.625
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	2.625

The number assigned to this disaster for physical damage is 14430 B and for economic injury is 14431 0.

The States which received an EIDL Declaration # are Indiana, Kentucky, Ohio.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: August 18, 2015.

Maria Contreras-Sweet,

Administrator.

[FR Doc. 2015–21066 Filed 8–25–15; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 14359 and # 14360]

Nebraska Disaster Number NE–00065

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Nebraska (FEMA–4225–DR), dated 06/25/2015.

Incident: Severe Storms, Tornadoes, Straight-line Winds, and Flooding.

Incident Period: 05/06/2015 through 06/17/2015.

Effective Date: 08/14/2015.

Physical Loan Application Deadline Date: 08/24/2015.

Economic Injury (EIDL) Loan Application Deadline Date: 03/25/2016.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of NEBRASKA, dated 06/25/2015, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Adams, Arthur, Box Butte, Clay, Dawes, Fillmore, Hamilton, Hayes, Johnson, Nemaha, Pawnee, Richardson, Seward, Sioux, Wayne, York.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Joseph P. Loddo,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 2015–21061 Filed 8–25–15; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice: 9237]

Culturally Significant Objects Imported for Exhibition Determinations: ''Photo-Poetics: An Anthology'' Exhibition

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), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Photo-Poetics: An Anthology,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Solomon R. Guggenheim Museum, New York, New York, from on or about November 20, 2015, until on or about March 23, 2016, 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 imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: August 17, 2015.

Evan Ryan,

Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2015–21166 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9239]

Culturally Significant Objects Imported for Exhibition Determinations: ''Pearls on a String: Artists, Patrons, and Poets at the Great Islamic Courts'' Exhibition

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), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Pearls on a String: Artists, Patrons, and Poets at the Great Islamic Courts,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Walters Art Museum, Baltimore, Maryland, from on or about November 8, 2015, until on or about January 31, 2016, at the Asian Art Museum, San Francisco, California, from on or about February 26, 2016, until on or about May 8, 2016, 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 imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: August 19, 2015.

Evan Ryan,

Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2015–21178 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9234]

Renewal of International Security Advisory Board Charter

SUMMARY: The Department of State announces the renewal of the Charter of the International Security Advisory Board (ISAB).

The purpose of the ISAB is to provide the Department with a continuing source of independent insight, advice, and innovation on all aspects of arms control, disarmament, nonproliferation, and international security and related aspects of public diplomacy. The ISAB will remain in existence for two years after the filing date of the Charter unless terminated or renewed sooner.

For more information, contact Christopher M. Herrick, Acting Executive Director of the International Security Advisory Board, Department of State, Washington, DC 20520, telephone: (202) 647–9683.

Dated: July 10, 2015.

Christopher M. Herrick,

Acting Executive Director, International Security Advisory Board, U.S. Department of State.

[FR Doc. 2015–21190 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–27–P

DEPARTMENT OF STATE

[Public Notice: 9241]

In the Matter of the Designation of Abdul Aziz Haqqani, also known as Aziz Haqqani, as a Specially Designated Global Terrorist pursuant to Section 1(b) of Executive Order 13224, as amended

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the individual known as Abdul Aziz Haqqani, also known as Aziz Haqqani, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that ''prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously,'' I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register.**

Dated: June 1, 2015.

John F. Kerry,

Secretary of State.

[FR Doc. 2015–21191 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF STATE

[Public Notice: 9232]

Notice of Proposal To Extend the Memorandum of Understanding Between the Government of United States of America and the Government of the Republic of Colombia Concerning the Imposition of Import Restrictions on Archaeological Materials From the Pre-Columbian Cultures and Certain Ecclesiastical Material From the Colonial Period of Colombia

The Government of the Republic of Colombia has informed the Government of the United States of America of its interest in an extension of the Memorandum of Understanding Between the Government of United States of America and the Government of the Republic of Colombia Concerning the Imposition of Import Restrictions on Archaeological Materials from the Pre-Columbian Cultures and Certain Ecclesiastical Material from the Colonial Period of Colombia (''MOU'').

Pursuant to the authority vested in the Assistant Secretary of State for Educational and Cultural Affairs, and pursuant to 19 U.S.C. 2602(f)(1), an extension of this MOU is hereby proposed.

Pursuant to 19 U.S.C. 2602(f)(2), the views and recommendations of the Cultural Property Advisory Committee regarding this proposal will be requested.

A copy of the MOU, the Designated List of restricted categories of material, and related information can be found at the following Web site: *http://culturalheritage.state.gov.* For further information, contact Isabella Strohmeyer, Program Coordinator, at 202–632–6198.

Dated: August 12, 2015.

Evan Ryan,

Assistant Secretary, Bureau of Educational and Cultural Affairs, U.S. Department of State.

[FR Doc. 2015–21171 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9240]

In the Matter of the Designation of Sajid Mohammad Badat as a Specially Designated Global Terrorist Pursuant Section 1(b) of Executive Order 13224, as Amended

In accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended (''the Order''), I hereby determine that the individual known as Sajid Mohammad Badat, also known as other aliases and transliterations, no longer meets the criteria for designation under the Order, and therefore I hereby revoke the designation of the aforementioned individual as a Specially Designated Global Terrorist pursuant to section 1(b) of the Order.

This determination shall be published in the **Federal Register**.

Dated: August 3, 2015.

John F. Kerry,

Secretary of State.

[FR Doc. 2015–21162 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF STATE

[Public Notice: 9235]

Foreign Affairs Policy Board Charter Renewal

AGENCY: Department of State.

Charter Renewal

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App., the Department of State announces the Charter of the Foreign Affairs Policy Board, established July 2011, was renewed for a two-year period. The Board is established under the general authority of the Secretary of State and the Department of State set forth in title 22 of the United States Code, in particular Section 2656 of that Title, and consistent with the Federal Advisory Committee Act, as amended (5 U.S.C., Appendix).

The Foreign Affairs Policy Board was established to provide the Secretary of State, the Deputy Secretaries of State, and the Director of Policy Planning with independent, informed advice and opinions concerning matters of U.S. foreign policy. It is comprised of twenty-five distinguished U.S. citizens from the private sector, nongovernmental organizations, think tanks, and academia.

For more information, contact *FAPB@state.gov.*

Dated: June 29, 2015.

Andrew McCracken,

Designated Federal Officer.

[FR Doc. 2015–21168 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–10–P

DEPARTMENT OF STATE

[Public Notice: 9233]

Issuance of a Presidential Permit to Plains Pipeline, L.P.

AGENCY: Department of State.

ACTION: Notice of Issuance of a Presidential Permit to Plains Pipeline, L.P. to connect, operate, and maintain existing pipeline facilities at the international boundary between the United States and Canada.

SUMMARY: The Department of State issued a Presidential Permit to Plains Pipeline, L.P. on August 3, 2015 to connect, operate, and maintain existing pipeline facilities acquired by that company at the border of the United States and Canada for the transport of crude oil between the United States and Canada. The Department of State determined that issuance of this permit would serve the national interest. In making this determination and issuing the permit, the Department of State followed the procedures established under Executive Order 13337, and provided public notice and opportunity for comment.

FOR FURTHER INFORMATION CONTACT: Office of Europe, Western Hemisphere and Africa, Bureau of Energy Resources, U.S. Department of State (ENR/EDP/EWA). 2201 C St. NW., Ste. 4843, Washington DC 20520. Attn: Deputy Director. Tel: 202–647–2041.

Dated: August 13, 2015.

R. Chris Davy,

Acting Director, Energy Resources Bureau, Energy Diplomacy (ENR/EDP/EWA), Bureau of Energy Resources, U.S. Department of State.

SUPPLEMENTARY INFORMATION: Additional information concerning the Plains Pipeline, L.P. pipeline facilities and documents related to the Department of State's review of the application for a Presidential Permit can be found at *http://www.state.gov/e/enr/applicant.* Following is the text of the issued permit:

PRESIDENTIAL PERMIT

AUTHORIZING PLAINS PIPELINE, L.P. TO CONNECT, OPERATE, AND MAINTAIN EXISTING PIPELINE FACILITIES AT THE INTERNATIONAL BOUNDARY BETWEEN THE UNITED STATES AND CANADA

By virtue of the authority vested in me as Under Secretary of State for Economic Growth, Energy, and the Environment, including those authorities under Executive Order 13337, 69 FR 25299 (2004), and Department of State Delegation of Authority 118–2 of January 26, 2006; having requested and received the views of members of the public and various federal agencies; I hereby grant permission, subject to the conditions herein set forth, to Plains Pipeline, L.P. (hereinafter referred to as the ''permittee''), organized under the laws of the State of Texas, to connect, operate, and maintain existing pipeline facilities at the border of the United States and Canada near Raymond, Montana, for the transport of crude oil between Canada and the United States.

The term ''facilities'' as used in this permit means the relevant portion of the pipelines and any land, structures, installations, or equipment appurtenant thereto. The term ''United States facilities'' as used in this permit includes a 12¾-inch pipeline in existence at the time of this permit's issuance and extending from the international border between the United States and Canada to the first block valve located in the United States, with the coordinates 104 42.934 W, 48 59.931 N.

This permit is subject to the following conditions:

Article 1. (1) The United States facilities herein described, and all aspects of their operation, shall be subject to all the conditions, provisions, and requirements of this permit and any amendment thereof. This permit may be terminated or amended at any time at the discretion of the Secretary of State or the Secretary's delegate or upon proper application therefor. The permittee shall make no substantial change in the United States facilities, the location of the United States facilities, or in the operation authorized by this permit until such changes have been approved by the Secretary of State or the Secretary's delegate.

(2) The connection, operation, and maintenance of the United States facilities shall be in all material respects as described in the permittee's December 20, 2013 application for a Presidential Permit and supplemental

letter dated October 21, 2014 (the ''Application'').

Article 2. The standards for, and the manner of, the operation and maintenance of the United States facilities shall be subject to inspection and approval by the representatives of appropriate federal, state, and local agencies. The permittee shall allow duly authorized officers and employees of such agencies free and unrestricted access to said United States facilities in the performance of their official duties.

Article 3. The permittee shall comply with all applicable federal, state, and local laws and regulations regarding the connection, operation, and maintenance of the United States facilities and with all applicable industrial codes. The permittee shall obtain all requisite permits from state and local government entities and relevant federal agencies.

Article 4. Connection, operation, and maintenance of the United States facilities hereunder shall be subject to the limitations, terms, and conditions issued by any competent agency of the United States Government. The permittee shall continue the operations hereby authorized and conduct maintenance in accordance with such limitations, terms, and conditions. Such limitations, terms, and conditions could address, for example, environmental protection and mitigation measures, safety requirements, export or import and customs regulations, measurement capabilities and procedures, requirements pertaining to the pipeline's capacity, and other pipeline regulations.

Article 5. Upon the termination, revocation, or surrender of this permit, and unless otherwise agreed by the Secretary of State or the Secretary's delegate, the United States facilities in the immediate vicinity of the international boundary shall be removed by and at the expense of the permittee within such time as the Secretary of State or the Secretary's delegate may specify, and upon failure of the permittee to remove, or to take such other action with respect to, this portion of the United States facilities as ordered, the Secretary of State or the Secretary's delegate may direct that possession of such United States facilities be taken and that they be removed or other action taken, at the expense of the permittee; and the permittee shall have no claim for damages by reason of such possession, removal, or other action.

Article 6. When, in the opinion of the President of the United States, the national security of the United States demands it, due notice being given by the Secretary of State or the Secretary's delegate, the United States shall have the right to enter upon and take possession of any of the United States facilities or parts thereof; to retain possession, management, or control thereof for such length of time as may appear to the President to be necessary; and thereafter to restore possession and control to the permittee. In the event that the United States shall exercise such right, it shall pay to the permittee just and fair compensation for the use of such United States facilities upon the basis of a reasonable profit in normal conditions, and the cost of restoring said United States facilities to as good condition as existed at the time of entering and taking over the same, less the reasonable value of any improvements that may have been made by the United States.

Article 7. Any change of ownership or control of the United States facilities or any part thereof shall be immediately notified in writing to the United States Department of State, including the submission of information identifying the new owner or controlling entity. This permit shall remain in force subject to all the conditions, permissions, and requirements of this permit and any amendments thereto unless subsequently terminated or amended by the Secretary of State or the Secretary's delegate.

Article 8. (1) The permittee is responsible for acquiring any right-of-way grants or easements, permits, and other authorizations as may become necessary and appropriate.

(2) The permittee shall save harmless and indemnify the United States from any claimed or adjudged liability arising out of construction, connection, operation, or maintenance of the United States facilities, including but not limited to environmental contamination from the release or threatened release or discharge of hazardous substances and hazardous waste.

(3) The permittee shall maintain the United States facilities and every part thereof in a condition of good repair for their safe operation, and in compliance with prevailing environmental standards and regulations.

Article 9. The permittee shall take all necessary measures to prevent or mitigate adverse impacts on, or disruption of, the human environment in connection with connection, operation, and maintenance of the United States facilities. Such measures will include any mitigation and control plans that are already approved or that are approved in the future by the Department of State or other relevant federal or state agencies, and any other measures deemed prudent by the permittee.

Article 10. The permittee shall file with the appropriate agencies of the United States Government such statements or reports under oath with respect to the United States facilities, and/or permittee's activities and operations in connection therewith as are now, or may hereafter, be required under any laws or regulations of the United States Government or its agencies. The permittee shall file electronic Export Information where required.

Article 11. The permittee shall provide information upon request to the Department of State with regard to the United States facilities. Such requests could include, for example, information concerning current conditions or anticipated changes in ownership or control, construction, connection, operation, or maintenance of the United States facilities.

IN WITNESS WHEREOF, I, the Under Secretary of State for Economic Growth, Energy, and the Environment, have hereunto set my hand this third day of August 2015 in the City of Washington, District of Columbia.

Catherine A. Novelli
Under Secretary of State for Economic Growth, Energy, and the Environment

[FR Doc. 2015–21179 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–AE–P

DEPARTMENT OF STATE

[Public Notice: 9231; Docket No. DOS–2015–0040]

Notice of Meeting of the Cultural Property Advisory Committee

There will be a meeting of the Cultural Property Advisory Committee September 30-October 2, 2015 at the U.S. Department of State, Annex 5, 2200 C Street NW., Washington, DC. Portions of this meeting will be closed to the public, as discussed below.

During the closed portion of the meeting, the Committee will review the proposal to extend the *Memorandum of Understanding Between the Government of United States of America and the Government of the Republic of Colombia Concerning the Imposition of Import Restrictions on Archaeological Materials from the Pre-Columbian Cultures and Certain Ecclesiastical Material from the Colonial Period of Colombia* (''Colombia MOU'') [Docket No. DOS–2015–0040]. An open session to receive oral public comment on the proposal to extend the Colombia MOU will be held on Wednesday, September 30, 2015, beginning at 10:00 a.m. EDT.

Also, during the closed portion of the meeting, the Committee will conduct interim reviews of the *Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Guatemala Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures and Ecclesiastical Ethnological Material from the Conquest and Colonial Periods of Guatemala* and of the *Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Cyprus Concerning the Imposition of Import Restrictions on Pre-Classical and Classical Archaeological Objects and Byzantine and Post-Byzantine Period Ecclesiastical and Ritual Ethnological Materials.* Public comment, oral and written, will be invited at a time in the future should either MOU be proposed for extension.

The Committee's responsibilities are carried out in accordance with provisions of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 *et seq.;* ''Act''). The text of the Act and MOUs, as well as related information, may be found at *http://culturalheritage.state.gov.* If you wish to attend the open session on September 30, 2015, you should notify the Cultural Heritage Center of the Department of State at (202) 632–6301 no later than 5:00 p.m. (EDT) September 11, 2015, to arrange for admission. Seating is limited. When calling, please specify if you need reasonable accommodation. The open session will be held at 2200 C St. NW., Edward R. Murrow Conference Room, Washington, DC 20037. Please plan to arrive 30 minutes before the beginning of the open session.

If you wish to make an oral presentation at the open session, you must request to be scheduled by the above-mentioned date and time, and you must submit written comments, ensuring that they are received no later than September 11 at 11:59 p.m. (EDT), via the eRulemaking Portal (see below), to allow time for distribution to committee members prior to the meeting. Oral comments will be limited to five (5) minutes to allow time for questions from members of the Committee. All oral and written comments must relate specifically to the determinations under 19 U.S.C. 2602, pursuant to which the Committee must make findings.

If you do not wish to make oral comment but still wish to make your views known, you may send written comments for the Committee to consider. Your comments should relate specifically to the determinations under 19 U.S.C. 2602. Submit all written materials electronically through the eRulemaking Portal (see below), ensuring that they are received no later than September 11, 2015 at 11:59 p.m. (EDT). Our adoption of this procedure facilitates public participation; implements section 206 of the E-Government Act of 2002, Public Law 107–347, 116 Stat. 2915; and supports the Department of State's ''Greening Diplomacy'' initiative that aims to reduce the State Department's environmental footprint and reduce costs.

Please submit comments only once using one of these methods:

- *Electronic Delivery.* To submit comments electronically, go to the Federal eRulemaking Portal (*http://www.regulations.gov*), enter the Docket No. DOS–2015–0040, and follow the prompts to submit a comment. Comments submitted in electronic form are not private. They will be posted on the site *http://www.regulations.gov.* Because the comments cannot be edited to remove any identifying or contact information, the Department of State cautions against including any information in an electronic submission that one does not want publicly disclosed (including trade secrets and commercial or financial information that is privileged or confidential pursuant to 19 U.S.C. 2605(i)(1)).
- *Regular Mail or Delivery.* If you wish to submit information that you believe to be privileged or confidential pursuant to 19 U.S.C. 2605(i)(1), you may do so via regular mail, commercial delivery, or personal hand delivery to the following address: Cultural Heritage Center (ECA/P/C), SA–5, Floor C2, U.S. Department of State, Washington, DC 20522–05C2. Only comments that you believe to be privileged or confidential will be accepted via those methods. Comments must be received by September 11, 2015.

Comments submitted by fax or email are not accepted. All comments submitted electronically must be submitted via the eRulemaking Portal only. All comments submitted electronically will be viewable by the public, so do not include any information that you consider privileged or confidential.

The Department of State requests that any party soliciting or aggregating comments received from other persons for submission to the Department of State inform those persons that the Department of State will not edit their comments to remove any identifying or contact information, and that they therefore should not include any information in their comments that they do not want publicly disclosed.

As noted above, portions of the meeting will be closed pursuant to 5 U.S.C. 552b(c)(9)(B) and 19 U.S.C. 2605(h), the latter of which stipulates that ''The provisions of the Federal Advisory Committee Act shall apply to the Cultural Property Advisory Committee except that the requirements of subsections (a) and (b) of sections 10 and 11 of such Act (relating to open meetings, public notice, public participation, and public availability of documents) shall not apply to the Committee, whenever and to the extent it is determined by the President or his designee that the disclosure of matters involved in the Committee's proceedings would compromise the government's negotiating objectives or bargaining positions on the negotiations of any agreement authorized by this chapter''. Pursuant to law, Executive Order, and Delegation of Authority, I have made such a determination.

Personal information regarding attendees is requested pursuant to Public Law 99–399 (Omnibus Diplomatic Security and Antiterrorism Act of 1986), as amended; Pub. L. 107–56 (USA PATRIOT Act); and E.O. 13356. The purpose of the collection is to validate the identity of individuals who enter Department facilities. The data will be entered into the Visitor Access Control System (VACS–D) database. Please see the Security Records System of Records Notice (State-36) at *http://www.state.gov/documents/organization/103419.pdf* for additional information. For further information, contact Isabella Strohmeyer, Program Coordinator, at 202–632–6198.

Dated: August 12, 2015.

Evan Ryan,

Assistant Secretary, Bureau of Educational and Cultural Affairs, U.S. Department of State.

[FR Doc. 2015–21194 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9238]

Culturally Significant Objects Imported for Exhibition Determinations: ''Vatican Splendors'' Exhibition

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), E. O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat.

2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Vatican Splendors,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at The Franklin Institute, Philadelphia, Pennsylvania, from on or about September 19, 2015, until on or about February 15, 2016, at The Ronald Reagan Presidential Library and Museum, Simi Valley, California, from on or about March 6, 2016, until on or about August 28, 2016, 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 imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: August 19, 2015.

Evan Ryan,

Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2015–21195 Filed 8–25–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9236]

U.S. Department of State Advisory Committee on Private International Law: Notice of Annual Meeting

The Department of State's Advisory Committee on Private International Law (ACPIL) will hold its annual meeting on Friday, September 25, 2015, in Washington, DC. The meeting will be held at the Gewirz Student Center, Georgetown University Law Center, 600 New Jersey Avenue NW., Washington, DC 20001. The program is scheduled to run from 9:00 a.m. to 4:30 p.m.

Time permitting, we expect that the discussion will focus on developments in many areas of private international law, including arbitration and conciliation, recognition and enforcement of foreign judgments, judicial cooperation, on-line dispute resolution, and potentially new areas of work or development. We encourage active participation by all those attending.

Documents on these subjects are available at *www.hcch.net; www.uncitral.org*; *www.unidroit.org; www.oas.org*, and *www.nccusl.org.* We may, by email, supplement those with additional documents.

Please advise as early as possible if you plan to attend. The meeting is open to the public up to the capacity of the conference facility, and space will be reserved on a first come, first served basis. Persons who wish to have their views considered are encouraged, but not required, to submit written comments in advance. Those who are unable to attend are also encouraged to submit written views. Comments should be sent electronically to *pil@state.gov.* Those planning to attend should provide name, affiliation and contact information to *pil@state.gov.* You may also use this email address to obtain additional information. A member of the public needing reasonable accommodation should advise those same contacts not later than September 18. Requests made after that date will be considered, but might not be able to be fulfilled.

Dated: August 18, 2015.

John J. Kim,

Assistant Legal Adviser, Office of Private International Law, Office of the Legal Adviser, Department of State.

[FR Doc. 2015–21161 Filed 8–25–15; 8:45 am]

BILLING CODE 7410–08–P

TENNESSEE VALLEY AUTHORITY

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Tennessee Valley Authority.

ACTION: 60-Day notice of submission of information collection approval and request for comments.

SUMMARY: The proposed information collection described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35, as amended). The Tennessee Valley Authority is soliciting public comments on this proposed collection as provided by 5 CFR 1320.8(d)(1).

DATES: Comments should be sent to the Agency Clearance Officer no later than October 26, 2015.

ADDRESSES: Requests for information, including copies of the information collection proposed and supporting documentation, should be directed to the Agency Clearance Officer: Philip D. Propes, Tennessee Valley Authority, 1101 Market Street (SP–5S–108), Chattanooga, Tennessee 37402; (423) 751–8593.

SUPPLEMENTARY INFORMATION:

Type of Request: Regular request. Reinstatement, with change, of a previously approved collection for which approval has expired.

Title of Information Collection: Land Use Survey Questionnaire—Vicinity of Nuclear Power Plants.

Frequency of Use: Annual.

Type of Affected Public: Individuals or households, farms and business and other for-profit.

Small Businesses or Organizations Affected: Yes.

Federal Budget Functional Category Code: 271.

Estimated Number of Annual Responses: 150.

Estimated Total Annual Burden Hours: 75.0.

Estimated Average Burden Hours Per Response: .50.

Need For and Use of Information: This survey is used to locate, for monitoring purposes, rural residents, home gardens, and milk animals within a five mile radius of a nuclear power plant. The monitoring program is a mandatory requirement of the Nuclear Regulatory Commission set out in the technical specifications when the plants were licensed.

Philip D. Propes,

Director, Enterprise Information Security and Policy.

[FR Doc. 2015–20850 Filed 8–25–15; 8:45 am]

BILLING CODE 8120–08–P

TENNESSEE VALLEY AUTHORITY

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Tennessee Valley Authority.

ACTION: 60-Day notice of submission of information collection approval and request for comments.

SUMMARY: The proposed information collection described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35, as amended). The Tennessee Valley Authority is soliciting public comments on this proposed collection as provided by 5 CFR 1320.8(d)(1).

DATES: Comments should be sent to the Agency Clearance Officer no later than October 26, 2015.

ADDRESSES: Requests for information, including copies of the information collection proposed and supporting documentation, should be directed to the Agency Clearance Officer: Philip D. Propes, Tennessee Valley Authority, 1101 Market Street (SP–5S–108), Chattanooga, Tennessee 37402–2801; (423) 751–8593.

SUPPLEMENTARY INFORMATION:

Type of Request: Regular submission: New collection.

Title of Information Collection: TVA Recreation User Survey.

Frequency of Use: As funding is available.

Type of Affected Public: Individuals or households.

Small Businesses or Organizations Affected: No.

Federal Budget Functional Category Code: 271.

Estimated Number of Annual Responses: 3000.

Estimated Total Annual Burden Hours: 1000.0.

Estimated Average Burden Hours Per Response: .20.

Need For and Use of Information: TVA will contract with the University of Tennessee to Survey by mail and in person recreation users on the TVA reservoir system to determine estimates for the numbers annual recreation visits and associated economic impacts from the recreation activities on the reservoir system.

Philip D. Propes,

Director, Enterprise Information Security and Policy.

[FR Doc. 2015–20847 Filed 8–25–15; 8:45 am]

BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Twentieth Meeting: RTCA Special Committee 222 (SC 222) AMS(R)S, Joint Meeting With EUROCAE WG–82

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

ACTION: Twentieth Meeting Notice of RTCA Special Committee 222.

SUMMARY: The FAA is issuing this notice to advise the public of the twentieth meeting of the RTCA Special Committee 222.

DATES: The meeting will be held September 22nd–24th from 8:00 a.m.–12:00 p.m.

ADDRESSES: The meeting will be held at Inmarsat, 99 City Road, London, England, Tel: (202) 330–0662.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833–9339, fax at (202) 833–9434, or Web site at *http://www.rtca.org* or Jennifer Iversen, Program Director, RTCA, Inc., *jiversen@rtca.org,* (202) 330–0662.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of the RTCA Special Committee 222, Joint Meeting with Eurocae WG–82. Inmarsat is located next to Old St Underground Station. On leaving the ticket barrier area turn left. To register your attendance, please email *alan.schuster-bruce@inmarsat.com.* Tel: +44 20 7728 1161 (desk), Tel: +44 7740 735096 (mobile). Those who plan to attend in person should also notify the Chair of WG–82, Mr. Armin Schlereth at least seven days in advance. Details on in-person attendance, such as hotels and contact information may be found in the WG–82/23 calling notice posted as WP–171 in the/documents folder of the SC–222 Workspace. Interested persons are invited to attend the WG–82 portions of the meeting as well. The Eurocae WG–82 meeting extends all day (London time) on Tuesday and Wednesday. For details, see WP–171. Armin Schlereth, DFS Deutsche Flugsicherung GmbH, SIS/DM, Am DFS Campus 7, 63225 Langen, Tel: +49 6103 707 2433, Mobile: +49 172 5209 369, FAX: +49 6103 707 2490. Per RTCA PMC changes to the SC–222 Terms of Reference, this meeting will be a joint meeting with Eurocae WG–82. The two main objectives for SC–222 are the review and approval for FRAC of Change 1 to the Iridium material of DO–262B and review of progress toward an Inmarsat SBB MASPs for ''Class B'' equipment, as discussed in the April joint meeting.

The SC–222 portions of the meeting are expected to be largely virtual, conducted over Webex with a telephone bridge. Dr. LaBerge will be in the US, but DFO David Robinson of FAA will be attending in person. Alan Schuster-Bruce of Inmarsat will serve as Chairman pro tem for any portions of the meeting that Dr. LaBerge is unable to attend. Eurocontrol meetings are usually business formal.

Remote instructions are the following:

https://rtca.webex.com/rtca/j.php?MTID=ma6d7ebb28b52edcdfb39163cfad016b3

Access Code: 689 965 723

Meeting password: September15

Audio connection:

1–877–668–4493 Call-in toll-free number (US/Canada)

1–650–479–3208 Call-in toll number (US/Canada)

The agenda will include the following:

Tuesday, September 22, 2015 (8:00 a.m. EDT–12:00 p.m. EDT)

1. Greetings & Attendance
2. Review summary of January meeting (19th Plenary) will be accomplished by email prior to this joint meeting. See WP–170 in the /documents folder on the SC–222 workspace
3. (WG–82 Item 7a) Discussion of the draft MASPS prepared by Alan Schuster-Bruce of Inmarsat. This document has been posted as WP–172 in the /documents folder on the SC–222 workspace. Participants should read the information posted on the SC–222 Workspace prior to the meeting. (1.5 hours duration)
4. (7b) Discussion of SESAR P15.2.4, QoS Requirements. This document/presentation will be posted as WP–174. (1 hour)
5. (7c) Requirements apportionment and use of VTB (TAS). (0.5 hour)
6. (7d) Discussion of next steps

Wednesday, September 23, 2015 (8:00 a.m. EDT–12:00 p.m. EDT)

1. (WG–82 Item 9.a.i) Present and discuss the status of the Inmarsat MOPS document. (1 hour duration)
2. (9.a.ii) Discussion of the WP–173, which is a draft of Change 1 to the Iridium material of DO–262B. The purpose of the discussion is to approve Change 1 for the FRAC process, with a desire to have the document approved at the December PMC meeting. This discussion will be time limited. If approval of a FRAC version cannot be accomplished on Wednesday, the discussion will be continued at a SC–222-only session on Thursday morning. (1 hour duration)
3. (9.b) Discuss the IRIS Air Interface. (1 hour)
4. (9.c) The A, B, C, Class structure as potential conflicts with other aviation standards identifiers
5. (9.d) Next steps
6. (10) Any other business
7. (11) Summary and determination of next meeting and other coordination actions

Thursday, September 24, 2015 (9:00 a.m. EDT–12:00 p.m. EDT)

1. Additional discussion of WP–173, if necessary. If all issues are resolved

and the document is approved for FRAC during the Wednesday session, this session will not be necessary. This session will be SC–222 members only, although any WG–82 members are invited to attend

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on August 19, 2015.

Latasha Robinson,

Management & Program Analyst, Next Generation, Enterprise Support Services Division, Federal Aviation Administration.

[FR Doc. 2015–21174 Filed 8–25–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Thirty-Fifth Meeting: RTCA Special Committee 224 (SC 224) Airport Security Access Control Systems

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

ACTION: Thirty-Fifth Meeting Notice of RTCA Special Committee 224.

SUMMARY: The FAA is issuing this notice to advise the public of the thirty-fifth meeting of the RTCA Special Committee 224.

DATES: The meeting will be held September 17th from 10:00 a.m.–3:00 p.m.

ADDRESSES: The meeting will be held at RTCA Headquarters, 1150 18th Street NW., Suite 910, Washington, DC 20036, Tel: (202) 330–0654.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833–9339, fax at (202) 833–9434, or Web site at *http://www.rtca.org* or Harold Moses, Program Director, RTCA, Inc., *khofmann@rtca.org,* (202) 330–0654.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of the RTCA Special Committee 224. The agenda will include the following:

Thursday, September 17, 2015

1. Welcome/Introductions/Administrative Remarks
2. Review/Approve Previous Meeting Summary
3. Report from the TSA
4. Report on Safe Skies on Document Distribution
5. Review of the Credentialing Section—Final Draft
6. Approve release of DO–230 ''F'' for Final Review and Comment (FRAC)
7. Review of Other DO–230 ''G'' Sections
8. Action Items for Next Meeting
9. Time and Place of Next Meeting
10. Any Other Business
11. Adjourn

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on August 24, 2015.

Latasha Robinson,

Management & Program Analyst, Next Generation, Enterprise Support Services Division, Federal Aviation Administration.

[FR Doc. 2015–21177 Filed 8–25–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request To Change Airport Property From Aeronautical Use to Non-Aeronautical Use at the Williamsport Regional Airport, Montoursville, Pennsylvania

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Request to Change Airport Property from Aeronautical Use to Non-Aeronautical Use.

SUMMARY: The FAA proposes to rule and invite public comment on the lease of land for non-aeronautical purpose at the Williamsport Regional Airport, Montoursville, Pennsylvania under the provision 49 U.P.C. 47125(a).

DATES: Comments must be received on or before September 25, 2015.

ADDRESSES: Comments on this application may be mailed or delivered to the following address:

Thomas J. Hart, Executive Director, Williamsport Municipal Airport Authority, 700 Airport Road, Suite 204, Montoursville, Pennsylvania 17754.

and at the FAA Harrisburg Airports District Office:

Lori K. Pagnanelli, Manager, Harrisburg Airports District Office, 3905 Hartzdale Dr., Suite 508, Camp Hill, PA 17011.

FOR FURTHER INFORMATION CONTACT: Charles Trice, Civil Engineer, Harrisburg Airports District Office, location listed above.

The request to lease property may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to change Airport Property from aeronautical use to non-aeronautical use at the Williamsport Regional Airport under the provisions of section 47125(a) of title 49 U.S.C. On August 12, 2015, the FAA determined that the request to lease airport property for non-aeronautical purpose at the Williamsport Regional Airport (IPT), Montoursville, Pennsylvania, submitted by the Williamsport Municipal Airport Authority (Authority) met the procedural requirements.

The following is a brief overview of the request:

The Authority requests the change in use to lease approximately 35.43 acres of airport property to Hanson Aggregates Pennsylvania LLC, of Allentown, Pennsylvania to mine for sand and gravel. The land was acquired without Federal participation. The undeveloped property is located in the Borough of Montoursville, Lycoming County, Pennsylvania, immediately north of the Susquehanna River and adjacent to and south of the Williamsport Regional Airport. Hanson is proposing to lease the property for a period of twenty (20) years with an optional 5-year extension, for purposes of mining sand and gravel. As shown on the Airport Layout Plan, the property does not serve an aeronautical purpose and is not needed for future airport development. In lieu of a Fair Market Value (FMV) lease, Hanson will pay the Authority a royalty of $0.25 per ton for the first year of the lease, with a yearly escalator based on the Bureau of Labor Statistics Producers Price Index (PPI) for sand and gravel. The anticipated tonnage to be mined within this area is approximately 4,000,000 tons. Also, Hanson also will convey 7.07 acres of property to the Authority at no cost, for use by the Authority for aeronautical purposes. Finally, Hanson will release the Authority's obligations from a mining permit on 16.403 acres of property

currently owned by the Authority and leased to Hanson.

Any person may inspect the request by appointment at the FAA office address listed above. Interested persons are invited to comment on the proposed lease. All comments will be considered by the FAA to the extent practicable.

Issued in Camp Hill, Pennsylvania, August 12, 2015.

Lori K. Pagnanelli,

Manager, Harrisburg Airports District Office.

[FR Doc. 2015–20755 Filed 8–25–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Eighty-Second Meeting: RTCA Special Committee 147 (SC 147) Minimum Operational Performance Standards for Aircraft Collision Avoidance Systems

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

ACTION: Eight-Second Meeting Notice of RTCA Special Committee 147.

SUMMARY: The FAA is issuing this notice to advise the public of the eight-second meeting of the RTCA Special Committee 147.

DATES: The meeting will be held September 22nd–24th from 9:00 a.m.–5:00 p.m.

ADDRESSES: The meeting will be held at EUROCONTROL, Rue de la Fusee 96, Brussels, Belgium, Tel: (202) 330–0654.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833–9339, fax at (202) 833–9434, or Web site at *http://www.rtca.org* or Harold Moses, Program Director, RTCA, Inc., *hmoses@rtca.org*, (202) 330–0654.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of the RTCA Special Committee 147. The agenda will include the following:

Tuesday, September 22, 2015

1. Threat Resolution Working Group (Neptune conference room)
2. Surveillance and Tracking Working Group (Jupiter conference room)

Wednesday, September 23, 2015

1. Joint Working Group Session (Pollux conference room)

Thursday, September 24, 2015

1. Opening Plenary Session (Jupiter and Neptune conference rooms)
   a. Chairmen's Opening Remarks/Introductions
   b. Approval of Minutes from 81st meeting of SC–147
   c. Approval of Agenda
2. Report from WG–75
3. SESAR Updates
   a. SESAR Tasks, present and future related to ACAS X
   b. European Operational Acceptability Criteria
4. Software Development/Certification
   a. Software Development Plan
   b. EASA Rulemaking Process
5. Impact of TAs against ADS–B Only Targets on Requirements
6. Lunch
7. Working Group Reports
   a. Surveillance/Tracking WG
   b. Threat Resolution WG
   i. Safety Sub-group
   ii. Xo Sub-group
   c. Coordination Subgroup
8. Document Approval: Change document to DO–300A/DO–300/ED–221
   a. FRAC/Consultation comment resolution review
   b. Approval Consideration
9. Mitigations for Transponder Failures/Or Setting into Standby
10. Review of ACAS Key Coordination Concept
11. Additional business
12. Closing Session
   a. Next Meeting Location
   b. Action Item review
   c. Close Meeting

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on August 19, 2015.

Latasha Robinson,

Management & Program Analyst, Next Generation, Enterprise Support Services Division, Federal Aviation Administration.

[FR Doc. 2015–21182 Filed 8–25–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the FHWA pursuant to 23 U.S.C. 139 and other Federal agencies.

SUMMARY: The FHWA is issuing this notice to announce actions taken by FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139 (l)(1). The actions relate to a proposed new freeway project: Mid County Parkway (MCP) that will be located in western Riverside County, State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139 (l)(1). A claim seeking judicial review of the Federal agency actions on the new freeway project will be barred unless the claim is filed on or before January 25, 2016. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: Mr. Tay Dam, FHWA California Division, 888 S. Figueroa St., Ste. 750, Los Angeles, CA. 90017, by phone at (213) 894–4500 or email at *tay.dam@dot.gov;* Ms. Marie Petry, California Department of Transportation, 464 W. 4th St., San Bernardino, CA 92401, by phone at (909) 383–4631, email *marie.petry@dot.ca.gov;* Mr. Alex Menor, Riverside County Transportation Commission, 4080 Lemon St. 3rd Floor, Riverside, CA 92502, by phone at (951) 787–7141, email *amenor@rctc.org.* Normal business hours are from 8:00 a.m. to 4:00 p.m.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139 (l) (1) by issuing licenses, permits and approvals for the following new freeway project in the State of California: The MCP project is a new east-west freeway which will provide a direct and continuous route connecting major population/employment centers as identified in the Land Use Elements of the County of Riverside General Plan and the General Plans of the Cities of Perris and San Jacinto, a distance of approximately 14.3 miles, between Interstate 215 (I–215) in the west and State Route 79 (SR–79) in the east. The MCP project will be a six-lane freeway (three lanes in each direction) with systems interchanges at I–215 and SR–79 as well as 11 service interchanges that will connect the MCP project to the local circulation system. The environmental effects of the MCP

Project are evaluated and described in the Final Environmental Impact Report (EIR)/Environmental Impact Statement (EIS), a joint document pursuant to the California Environmental Quality Act and the National Environmental Policy Act. Key issues identified in the Final EIR/EIS include impacts to community character and cohesion, growth-related effects, biological resources, aquatic resources, cultural resources, aesthetics, residential relocations, business relocations, traffic noise, and temporary construction effects. Measures to avoid, minimize, and mitigate adverse environmental effects are included in the Environmental Commitments Record in the Final EIR/EIS. The Final EIR/EIS identified Alternative 9 Modified with the San Jacinto River Bridge Design Variation and the Base Case Alignment through the City of San Jacinto, and, as further refined, to avoid the permanent incorporation of land from the San Jacinto Wildlife Area, as the preferred alternative.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final EIR/EIS for the project, approved on April 15, 2015, in the FHWA Record of Decision (ROD) issued on August 17, 2015, and in other documents in the FHWA project records. The Final EIR/EIS, ROD, and other project records are available by contacting FHWA at the address provided above. The Final EIR/EIS and ROD can be viewed and downloaded from the project Web site at *http://midcountyparkway.org/* or viewed at public libraries in the project area.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) (42 U.S.C. 4321–4351 *et seq.*).
2. Council on Environmental Quality Regulations.
3. Federal-Aid Highway Act of 1970, 23 U.S.C. 109.
4. MAP–21, the Moving Ahead for Progress in the 21st Century Act.
5. Clean Air Act (42 U.S.C. 7401–7671(q)).
6. Migratory Bird Treaty Act (16 U.S.C. 703–712).
7. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470(f) *et seq.*).
8. Clean Water Act (Section 401) (33 U.S.C. 1251–1377) of 1977 and 1987 (Federal Water Pollution Control Act of 1972).
9. Federal Endangered Species Act of 1973 (16 U.S.C. 1531–1543).
10. Fish and Wildlife Coordination Act of 1934, as amended.
11. Noise Control Act of 1972.
12. Safe Drinking Water Act of 1944, as amended.
13. Executive Order 11990—Protection of Wetlands
14. Executive Order 11988—Floodplain Management
15. Executive Order 13112, Invasive Species.
16. Executive Order 12898, Federal Actions to Address Environmental Justice and Low-Income Populations
17. Title VI of the Civil Rights Act of 1964, as amended.
18. Department of Transportation Act of 1966, Section 4(f) (49 U.S.C. 303)

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing E. O. 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139 (l)(1).

Shawn Oliver,

Acting Director, Program Development, Federal Highway Administration, Sacramento, California.

[FR Doc. 2015–20697 Filed 8–25–15; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Safety Advisory 2015–04]

Ballast Defects and Conditions—Importance of Identification and Repair in Preventing Development of Unsafe Combinations of Track Conditions

AGENCY: Federal Railroad Administration (FRA) Department of Transportation (DOT).

ACTION: Notice of Safety Advisory.

SUMMARY: FRA is issuing this safety advisory to emphasize the importance of timely repairing ballast defects and conditions on main tracks. FRA notes that ballast defects and ballast conditions that are not repaired in a timely manner can lead to future defects. FRA believes it is important for track inspectors to be aware that ballast defects and conditions can cause track components to deteriorate rapidly and compromise the stability of the track structure, and that inspectors are trained to identify and repair ballast defects and conditions. This safety advisory recommends that track owners and railroads: (1) Assess current engineering instructions on ballast safety and update them to provide specific guidance to track inspectors (designated personnel that are qualified to inspect and repair track) on how to identify and initiate remedial action under 49 CFR 213.233(d) for ballast defects and conditions, as well as on the appropriate remedial action to implement, particularly in areas with one or more additional track conditions; (2) train track inspectors on the updated engineering instructions and this safety advisory to ensure they understand how to identify and initiate remedial action for ballast defects and conditions in a timely manner, and understand the importance of such remedial action in preventing the development of unsafe combinations of track conditions; and (3) ensure that supervisors provide adequate oversight of track inspectors to achieve identification and remediation of ballast defects and other track conditions.

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Rusk, Staff Director, Track Division, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone (202) 493–6236; or Ms. Anna Nassif Winkle, Attorney Advisor, Office of Chief Counsel, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone (202) 493–6166.

SUPPLEMENTARY INFORMATION:

Background—Ballast may consist of crushed stone, crushed slag, screened gravel, and other materials; ballast is an integral part of the track structure. Ballast, regardless of the material, must satisfy all four of the requirements in FRA's track safety standards in 49 CFR part 213. *See* §§ 213.103 and 213.334.[1]

The sole appearance of fouled ballast (*i.e.,* ballast contaminated with broken-down particles, mud, coal dust, or other foreign material) may not warrant immediate corrective action if the ballast is properly transmitting and distributing the load, restraining the track, providing adequate drainage, and maintaining proper geometry. However, when ballast cannot adequately drain free-standing water, wheel loads are likely to be concentrated, rather than distributed. The concentrated wheel loads can cause rapid deterioration of track components and track instability, which can increase the risk of derailment. In addition, as noted below in the discussion regarding an accident that occurred at a fouled ballast location, track instability can not only

[1] All references to sections or part in this safety advisory are to a section or part of Title 49 of the CFR.

result from an individual track defect, but from a combination of track conditions. FRA reminds track owners and railroads of their responsibility under § 213.7 to ensure all persons they designate as qualified to either supervise certain renewals of track or inspect track for defects know and understand the requirements of part 213, are able to detect deviations, and can prescribe appropriate remedial action.

Ballast defects are often readily apparent through indications of poor geometry and structure degradation. FRA believes that a location with a combination of a ballast defect with a marginal geometry condition [2] warrants additional monitoring, more restrictive remedial action, or both, to correct or safely compensate for the combined defect and condition.

Railroad track inspectors should exercise their technical knowledge and professional experience to identify and record ballast defect or condition locations, and should take into account the severity of any geometry conditions along with the following factors to determine appropriate remedial action:

- Operating practice: Train speed, loading environment, route type and density, proximity to population centers;
- Track structure: rail, crossties, and fastener deterioration (mechanical wear from impact force), condition causing excessive rail cant (particularly abraded concrete crossties), concentrated support under ties, and localized excessive loading of ties;
- Roadbed and right-of-way condition: Sufficiently maintained to allow free-draining shoulder and crib ballast, unrestricted cross and lateral drainage;
- Special trackwork and transition points: [3] Turnouts, bridges, rail crossings, and highway/rail crossings.

Ballast defects are not associated with a track classification under §§ 213.9 and 213.307 requirements. Normally, ballast degradation is a gradual process. However, environmental conditions can accelerate the degradation rate and pose a safety threat to train operations. The safe passage of trains is reliant on the track inspector to recognize and assess the safety risk through training and experience.

Ballast conditions that produce a derailment risk must be corrected by repair or by applying appropriate restrictions upon discovery. The railroad's designated track inspector is responsible for conducting a proper inspection and applying appropriate remedial action.

Highlighted Accident—On July 18, 2013, at approximately 8:29 p.m., northbound CSX Transportation Train Q70419 derailed at Milepost 9.99 while traversing the No. 2 Main Track on the Metro-North Commuter Railroad Company's Hudson Line. FRA and the National Transportation Safety Board (NTSB) investigated the accident.

The accident was caused by the rail canting outward under increased dynamic wheel-rail loads due to the combination of gage and profile deviations and center-bound concrete crossties resulting in damage sufficient to reduce their ability to hold gage. These conditions developed from the ballast failing to properly support the track structure, which itself was the result of inadequate drainage. A track inspector performing proficient track inspections should have recognized the degrading ballast and geometry conditions, and the likelihood for center-bound crossties, and taken responsible corrective action. To prevent the development of such unsafe combinations of track conditions, FRA believes it is important that track owners and railroads assess current internal engineering instructions and update them to provide specific guidance to track inspectors on how to identify ballast defects and other track conditions. It is also important that track owners and railroads provide clear guidance on how to determine and apply appropriate remedial action, particularly in locations where the combination of track geometry and structure conditions produces an increased risk of derailment.

FRA further believes that alerting track owners or railroads to the issue of unsafe combinations of track conditions and highlighting a derailment resulting from a combination of marginaltrack conditions at a fouled ballast location provides a sufficient basis for these entities to review engineering standards and to consider requiring additional attention and action in areas with multiple track conditions. This is particularly true when geometry and structural deviations are produced by poorly-performing ballast.

The NTSB's safety recommendations resulting from its investigation of the derailment discussed above are on its Web site at *www.ntsb.gov.* The NTSB recommended that FRA define specific allowable limits for combinations of track conditions, none of which individually amount to a deviation from FRA regulations that require remedial action.

Recommended Action—In light of the above discussion, and in addition to complying with the requirements of part 213, including §§ 213.7 and 213.103, FRA recommends that track owners and railroads take the following actions:

1. Assess current internal engineering instructions in view of the concerns raised in this Safety Advisory 2015–04, and update them to ensure that the instructions provide specific guidance to track inspectors on how to identify and initiate remedial action under § 213.233(d) for ballast defects and other ballast conditions, and on the appropriate remedial action to implement, particularly in areas with one or more additional track conditions.

2. Train track inspectors on the updated engineering instructions and this safety advisory. Such training should ensure that each track inspector understands the following:

a. *Identification of Ballast Defects and Conditions.* Know the requirements and purpose of track subgrade and ballast and understand the circumstances that can lead to ballast failure and other ballast defects and conditions, such as inadequate drainage, saturated subgrade, and transition points (*e.g.,* highway-rail grade crossings and approaches to bridges).

b. *Remedial Action for Ballast Defects and Conditions.* Understand the importance of maintaining ballast and initiating remedial action for any ballast defects or conditions in preventing the development of one or more additional track conditions (*e.g.,* gage widening, alinement and track surface deviations) or track structure conditions (*e.g.,* center-bound crossties, loose or missing fasteners, rail cant, etc.), especially around transition points or other areas susceptible to ballast degradation.

3. Ensure that supervisors provide oversight of track inspectors to achieve proper identification and remediation of ballast defects and other track conditions.

FRA encourages the railroad industry to take appropriate action consistent with the preceding recommendations and any other actions to ensure the safety of the Nation's railroad employees, passengers, and the general public. FRA may modify this Safety Advisory 2015–04, issue additional safety advisories, or take other appropriate actions it deems necessary to ensure the highest level of safety,

[2] A geometry condition means a track surface, gage, or alinement irregularity that does not exceed the allowable threshold for the designated track class in the track safety standards.

[3] Transition points occur at locations where there is an abrupt change in the vertical stiffness (support) of the track, such as the approach to a bridge. Transition points increase the dynamic loading of the track, causing more rapid deterioration of track components (*e.g.,* ballast, crossties, rail fasteners, and rail).

including pursuing other corrective measures under its rail safety authority.

Issued in Washington, DC, on August 20, 2015.

Robert C. Lauby,

Associate Administrator for Railroad Safety Chief Safety Officer.

[FR Doc. 2015–21044 Filed 8–25–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Office of Hazardous Materials Safety; Notice of Actions on Special Permit Applications

AGENCY: Pipeline And Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of actions on Special Permit Applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given of the actions on special permits applications in (July to July 2015). The mode of transportation involved are identified by a number in the ''Nature of Application'' portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Special Permits. It should be noted that some of the sections cited were those in effect at the time certain special permits were issued.

Issued in Washington, DC, on August 5, 2015.

Donald Burger,

Chief, General Approvals and Permits.

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
MODIFICATION SPECIAL PERMIT GRANTED			
11666–M	SGL Carbon, LLC (SGL), Charlotte, NC.	49 CFR 173.240(6)	To modify the special permit to authorize green graphite products being shipped on open flat-bed trailers to be secured with plastic bandings.
10232–M	ITW Sexton, Decatur, AL	49 CFR 173.304(d) and 173.306(a)(3).	To modify the special permit to authorize an additional hazardous material and limited quanity authorized.
14848–M	Corning Incorporated, Corning, NY.	49 CFR 172.202, 172.301, 172.400, 172.504 and 177.834(h).	To modify the special permit by incorporating the provisions of systems authorized under DOT–SP 14274 and DOT–SP 13107 so that it is a stand alone special permit.
15583–M	Northern Air Cargo Inc., Anchorage, AK.	49 CFR 172.101 Column (9B).	To modify the special permit by adding the following paragraph in 7.(g)(3) ''or alternatively—FAA-assigned Principal Operations or Maintenance Program''.
15747–M	United Parcel Service, Inc., Atlanta, GA.	49 CFR 177.817(a), 177.817.(e), 172.606(b), and 172.203(a).	To modify the special permit to authorize marking on two sides of certain trailers.
14349–M	Matheson Tri-Gas, Basking Ridge, NJ.	49 CFR 173.3(d)(2)(ii)	To modify the special permit to authorize additional hazardous materials to be transported in a salvage cylinder.
16333–M	Liberty Industrial Gases & Welding Supply Inc., Brooklyn, NY.	49 CFR 171.2(e) and 177.801.	To modify the special permit originally issued on an emergency basis to authorize an additional two years.
16340–M	Praxair Distribution Mid-Atlantic, LLC, Newark, NJ.	49 CFR 171.2 and 177.801	To reissue the special the permit that was originally issued on an emergency basis with a 2 year renewal.
EMERGENCY SPECIAL PERMIT GRANTED			
15515–M	National Aeronautics and Space Administration (NASA), Houston, TX.	49 CFR 173.302a, 173.301(f)(1), 173.301(h)(3), 173.302(f)(2), and 173.302(f)(4).	To authorize an active PRD and add operational controls to authorized an alternative to the requirement for a rigid outer packaging. (modes 1, 2, 3, 4).
15999–M	National Aeronautics and Space Administration (NASA), Washington, DC.	49 CFR part 172 and 173	To modify the special permit by adding a Class 8 material (modes 1, 3).
16513–N	U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Washington, DC.	49 CFR 173.56(b), and 172.320.	An emergency special permit to authorize the one-way transportation in commerce of unapproved fireworks for use in a research testing project. (mode 1).
16528–N	Worthington Cylinder Corporation, Columbus, OH.	49 CFR 173.301(a)(9)	To authorize the transportation in commerce of certain DOT Specification 39 cylinders in strong outer packagings without marking each package with an indication that the inner packagings conform to the prescribed specifications. (mode 1).

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
16533–N	National Air Cargo Group Inc., Orlando, FL.	49 CFR 172.101 Column (9B), 172.204(c)(3), (173.27, and 175.30(a)(1).	To authorize the transportation in commerce of certain explosives that are forbidden for transportation by cargo only aircraft. (mode 4).
16529–N	Kallita Air, LLC, Ypsilanti, MI.	49 CFR 172.101 Hazardous Materials Table Column (9B), 172.204(c)(3), 173.27(6)(2) and (3) and 175.30(a)(1).	To authorize the transportation in commerce of Ammonia, anhydrous in alternative packaging (heat pipes). (mode 4).
16534–N	National Air Cargo Group Inc., Orlando, FL.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27, and 175.30(a)(1).	To authorize the transportation in commerce of certain explosives that are forbidden for transportation by cargo only aircraft. (mode 4).
16531–N	NVIDIA Corporation, Santa Clara, CA.	49 CFR 173.185(c)(3); 173.185(f).	To authorize the transportation in commerce of lithium batteries in non-DOT specification packaging (mode 1).
NEW SPECIAL PERMIT GRANTED			
16190–N	Digital Wave Corporation, Centennial, CO.	49 CFR 180.205(g)	To authorize the transportation in commerce of certain composite overwrapped cylinders that have been alternatively pressure tested. (modes 1, 2, 3, 4, 5).
16198–N	Fleischmatars Vinegar Company, Inc., Cerritos, CA.	49 CFR 172.300; 172.400; 172.700; 174.55; 177.834; 173.30; 173.31(d).	To authorize the transportation in commerce of vinegar solution in bulk without certain hazardous communication requirements by highway and rail. (modes 1,2).
16365–N	RDS Manufacturing, Inc., Perry, FL.	49 CFR 177.834(h), 178.7(c)(1).	To authorize the manufacture, mark, sale and use of non-DOT specification aluminum tanks with capacities not exceeding 95 gallons. Additionally, discharge of Class 3 hazardous materials from the tanks without removing them from the vehicle on which they are transported is authorized. (mode 1).
16372–N	Northrop Grumman Systems Corporation, Redondo Beach, CA.	49 CFR 173.301(1), 173.302a(a)(1), 173.304a(a)(2).	To authorize the transportation in commerce of non-DOT specification containers known as heat pipes containing anhydrous ammonia and/or pulse tube coolers containing helium. (mode 1).
MODIFICATION SPECIAL PERMIT WITHDRAWN			
11650–M	Autoliv ASP, Inc., Ogden, UT.	49 CFR 173.301(a)(1) and 173.302a(a).	To modify the special permit to authorize an increase in maximum service pressure.
NEW SPECIAL PERMIT WITHDRAWN			
16424–N	Cimarron Composites, LLC, Huntsville, AL.	49 CFR 173.302a	To authorize the manufacture, mark, sale and use of a non-DOT specification fully wrapped fiber reinforced composite gas cylinders with a non-load sharing plastic liner that meets the ISO 11119–3 standard except for the design water capacity and working pressure. (modes 1, 2, 3).
DENIED			
14146–M	Request by Brunswick Corporation Lake Forest, IL July 02, 2015.		

To modify the special permit to allow more than 120 ml of flammable liquid fuel to remain in the engine and an exemption from the IMDG Code under Special Provision 961.

[FR Doc. 2015–20481 Filed 8–25–15; 8:45 am]

BILLING CODE 4909–60–M

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Sanctions Actions Pursuant to Executive Order 13667

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Treasury Department's Office of Foreign Assets Control (OFAC) is publishing the names of three individuals and two entities, and supplemental information for one individual, whose property and interests in property are blocked pursuant to Executive Order (E.O.) 13667 and whose names have been added to OFAC's list of Specially Designated Nationals and Blocked Persons (SDN List). OFAC is also removing the name of one individual, whose property and interests in property were blocked pursuant to E.O. 13667, from the SDN List.

DATES: OFAC's actions described in this notice were effective August 21, 2015.

FOR FURTHER INFORMATION CONTACT: Associate Director for Global Targeting,

tel.: 202/622–2420, Assistant Director for Sanctions Compliance & Evaluation, tel.: 202/622–2490, Assistant Director for Licensing, tel.: 202/622–2480, Office of Foreign Assets Control, or Chief Counsel (Foreign Assets Control), tel.: 202/622–2410, Office of the General Counsel, Department of the Treasury (not toll free numbers).

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

The SDN List and additional information concerning OFAC sanctions programs are available from OFAC's Web site (*www.treasury.gov/ofac*). Certain general information pertaining to OFAC's sanctions programs is also available via facsimile through a 24-hour fax-on-demand service, tel.: 202/622–0077.

Notice of OFAC Actions

On August 21, 2015, OFAC blocked the property and interests in property of the following three individuals and two entities pursuant to E.O. 13667, ''Blocking Property of Certain Persons Contributing to the Conflict in the Central African Republic'':

Individuals

1. YOUNOUS, Oumar (a.k.a. ABDOULAY, Oumar Younnes; a.k.a. ABDOULAY, Oumar Younous; a.k.a. M'BETIBANGUI, Oumar Younous; a.k.a. SODIAM, Oumar; a.k.a. YOUNOUS, Omar; a.k.a. YUNUS, 'Umar), Bria, Haute-Kotto Prefecture, Central African Republic; Birao, Vakaga Prefecture, Central African Republic; Darfur, Sudan; DOB 02 Apr 1970; POB Tullus, Southern Darfur, Sudan; nationality Sudan; Passport D00000898 issued 04 Nov 2013 (individual) [CAR].
2. SOUSSOU, Habib (a.k.a. ABIB, Soussou; a.k.a. HABIB, Soussou; a.k.a. SAIDOU, Habib), Boda, Lobaye Prefecture, Central African Republic; DOB 13 Mar 1980; nationality Central African Republic (individual) [CAR].
3. YEKATOM, Alfred (a.k.a. EKATOM, Alfred; a.k.a. SARAGBA, Alfred; a.k.a. YEKATOM SARAGBA, Alfred; a.k.a. ''Rambo''; a.k.a. ''Rambot''; a.k.a. ''Rombhot''; a.k.a. ''Romboh''; a.k.a. ''Rombot''), Mbaiki, Lobaye Prefecture, Central African Republic; Bimbo, Ombella-Mpoko Prefecture, Central African Republic; DOB 23 Jun 1976; POB Central African Republic; nationality Central African Republic (individual) [CAR].

Entities

1. BADICA (a.k.a. BUREAU D'ACHAT DE DIAMANT EN CENTRAFRIQUE), BP 333, Bangui, Central African Republic [CAR].
2. KARDIAM (a.k.a. CARDIAM; a.k.a. KARDIAM BVBA), Hoveniersstraat 30, Box 145, Antwerp 2018, Belgium; Email Address *kardiam.bvba@skynet.be;* V.A.T. Number 0430.033.662 (Belgium); Branch Unit Number 2030.515.945 (Belgium); Enterprise Number 0430.033.662 (Belgium) [CAR].

OFAC supplemented the identification information for one individual whose property and interests in property are blocked pursuant to E.O. 13667. The supplemental identification information for the individual is as follows:

MISKINE, Abdoulaye (a.k.a. KOUMTA MADJI, Martin; a.k.a. KOUMTAMADJI, Martin Nadingar; a.k.a. NKOUMTAMADJI, Martin), Congo, Republic of the; DOB 05 Oct 1965; alt. DOB 03 Mar 1965; POB Kobo, Central African Republic; alt. POB Ndinaba, Chad; nationality Chad; General (individual) [CAR].

OFAC removed the following individual from the SDN List:

YAKITE, Levi (a.k.a. YAKETE, Levy; a.k.a. YAKITE, Levy), Cameroon; DOB 1965; Anti-Balaka Political Coordinator (individual) [CAR].

Dated: August 21, 2015.

Andrea M. Gacki,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2015–21114 Filed 8–25–15; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 8281

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, 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, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 8281, Information Return for Publicity Offered Original Issue Discount Instructions.

DATES: Written comments should be received on or before October 26, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to R. Joseph Durbala at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 317–5746, or through the Internet at *RJoseph.Durbala@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Information Return for Publicity Offered Original Issue Discount Instruments.

OMB Number: 1545–0887.

Form Number: 8281.

Abstract: Internal Code section 1275(c)(2) requires the furnishing of certain information to the IRS by issuers of publicity offered debt instruments having original issue discount. Regulations section 1.1275–3 prescribes that Form 8281 shall be used for this purpose. The information on Form 8281 is used to update Publication 1212, List of Original Issue Discount Instruments.

Current Actions: There are no changes being made to Form 8281 at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profit organizations.

Estimated Number of Responses: 500.

Estimated Number of Response: 6 hours, 7 minutes.

Estimated Total Annual Burden Hours: 3,060.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection

techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: August 18, 2015.

R. Joseph Durbala,

IRS, Tax Analyst.

[FR Doc. 2015–21085 Filed 8–25–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 8822 and 8822–B

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, 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, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 8822, Change of Address and Form 8822–B, Change of Address or Responsible Party—Business.

DATES: Written comments should be received on or before October 26, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to R. Joseph Durbala, (202) 317–5746, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at *RJoseph.Durbala@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Change of Address, Change of Address or Responsible Party—Business.

OMB Number: 1545–1163.

Form Number: Form 8822, 8822–B.

Abstract: Form 8822 is used by taxpayers to notify the Internal Revenue Service that they have changed their home or business address or business location. Use Form 8822–B to notify the Internal Revenue Service if you changed your business mailing address, your business location, or the identity of your responsible party.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, business or other for-profit organizations, not-for-profit institutions, farms, and Federal, state, local or tribal governments.

Estimated Number of Respondents: 1,000,000.

Estimated Time per Respondent: 16 min.

Estimated Total Annual Burden Hours: 264,792.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: August 18, 2015.

R. Joseph Durbala,

IRS, Tax Analyst.

[FR Doc. 2015–21058 Filed 8–25–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 5735

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, 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, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 5735, American Samoa Economic Development Credit.

DATES: Written comments should be received on or before October 26, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to R. Joseph Durbala, at (202) 317–5746, or at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at *RJoseph.Durbala@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: American Samoa Economic Development Credit.

OMB Number: 1545–0217.

Form Number: Form 5735.

Abstract: Form 5735 is used to figure the American Samoa economic development credit under section 30A. The credit is generally allowed against income tax imposed by Chapter 1. The credit is not allowed against the following taxes:

1. Tax on accumulated earnings (section 531).
2. Personal holding company tax (section 541).
3. Additional tax for recovery of foreign expropriation losses (section 1351).
4. Recapture of investment credit (section 50).
5. Recapture of low-income housing credit (section 42(j)(4)(D)).
6. Recapture of Indian employment credit (section 45A).

Current Actions: There are no changes being made to the forms at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 10.

Estimated Time per Respondent: 12 hours, 42 minutes.

Estimated Total Annual Burden Hours: 127.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: August 18, 2015.

R. Joseph Durbala,

IRS, Tax Analyst.

[FR Doc. 2015–21086 Filed 8–25–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request on Information Collection Tools Relating to the Offshore Voluntary Disclosure Program (OVDP); Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to the notice and request for comments.

SUMMARY: This document contains a correction to the notice and request for comments which was published in the **Federal Register** on Monday, August 10, 2015 (80 FR 47998). As part of the continuing effort to reduce paperwork and respondent burden, the notice 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, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Christie Preston, (202) 317–4207 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

Currently, the IRS is soliciting comments concerning the Offshore Voluntary Disclosure Program (OVDP) and the Streamlined Filing Compliance Procedures.

Need for Correction

As published, the notice and request for comments contain errors which may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the publication of the notice and request for comments which is the subject of FR Doc. 2015–19521 is corrected as follows:

On page 47998, column 2, under **SUMMARY**, the sentence ''Currently, the IRS is soliciting comments concerning the Offshore Voluntary Disclosure Program (OVDP). '' is corrected to read ''Currently, the IRS is soliciting comments concerning the Offshore Voluntary Disclosure Program (OVDP) and the Streamlined Filing Compliance Procedures.''.

On page 47998, column 2, under **SUPPLEMENTARY INFORMATION**, the Title ''Offshore Voluntary Disclosure Program (OVDP)'' is corrected to read ''Offshore Voluntary Disclosure Program (OVDP) and Streamlined Filing Compliance Procedures''.

On page 47998, column 2, under **SUPPLEMENTARY INFORMATION**, the Abstract: ''The IRS is offering people with undisclosed income from offshore accounts an opportunity to get current with their tax returns. Taxpayers with undisclosed foreign accounts or entities should make a voluntary disclosure because it enables them to become compliant, avoid substantial civil penalties and generally eliminate the risk of criminal prosecution. The objective is to bring taxpayers that have used undisclosed foreign accounts and undisclosed foreign entities to avoid or evade tax into compliance with United States tax laws.'' is corrected to read ''The IRS offers taxpayers with undisclosed offshore income, undisclosed foreign financial accounts/assets, and other offshore arrangements opportunities to participate in programs and procedures to come into compliance with their tax and FBAR compliance requirements. Broadly, OVDP provides taxpayers with potential criminal liability or substantial civil liabilities resulting from offshore noncompliance an avenue to avoid criminal prosecution and come into compliance. Whereas the Streamlined Filing Compliance Procedures provide filing procedures for taxpayers whose offshore noncompliance resulted from non-willful conduct.''

On page 47998, column 2, under **SUPPLEMENTARY INFORMATION**, the Current Actions: ''In September 2012, the IRS announced a new offshore initiative entitled the Streamlined Non-filer program. This program was developed specifically for US citizens with income solely from non-us sources. Although this program was successful at closing the non-filer loop, this program did not allow for amended returns to be filed reporting previously unreported foreign sourced income. As a result, an enhanced process was developed in which taxpayers will be allowed to file amended returns in order to report previously unreported foreign source income while allowing a relief from penalties. Forms 14653, 14654, and the new Form 14708 have replaced the need for Form 14438. The net result is a burden increase of 15,500 estimated responses and 30,500 estimated annual hours per year.'' is corrected to read ''In September 2012, the IRS announced the Streamlined Filing Compliance Procedures (2012 Streamlined Procedures). The 2012 Streamlined Procedures were available only to non-resident non-filers and had very specific criteria. In June 2014, the IRS announced new Streamlined Filing Compliance Procedures (2014 Streamlined Procedures). The 2014 Streamlined Procedures are available to a wider population of U.S. taxpayers living outside the country and, for the first time, to certain U.S. taxpayers residing in the United States. See, announcement IR–2014–73 (June 18, 2014). Forms 14653, 14654 replaced the now obsolete Form 14438. Additionally,

the IRS created Form 14708 to allow taxpayers who paid a penalty on the value of Canadian registered retirement savings plans (RRSP), registered retirement income funds (RRIF), or other similar Canadian retirement plans to request penalty reconsideration. See Streamlined Domestic Offshore Procedures FAQ # 12.

In June 2014 the IRS announced significant revisions to the 2012 OVDP. See, announcement IR–2014–73 (June 18, 2014). The significantly revised offshore voluntary disclosure program is commonly called the 2014 OVDP. In conjunction with the announcement of the 2014 OVDP, the IRS updated Forms 14452, 14453, 14454, 14457 and 14467.

The net result is a burden increase of 15,500 estimated responses and 30,500 estimated annual hours per year.''

R. Joseph Durbala,

IRS, Tax Analyst.

[FR Doc. 2015–21057 Filed 8–25–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for REG–157302–02 (Final), TD 9142

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, 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, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning deemed IRAs in qualified retirement plans.

DATES: Written comments should be received on or before October 26, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Allan Hopkins, at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at *Allan.M.Hopkins@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Deemed IRAs in Qualified Retirement Plans.

OMB Number: 1545–1841.

Form Number: REG–157302–02; TD 9142.

Abstract: Section 408(q), added to the Internal Revenue Code by section 602 of the Economic Growth and Tax Relief Reconciliation Act of 2001, provides that separate accounts and annuities may be added to qualified employer plans and deemed to be individual retirement accounts and individual retirement annuities if certain requirements are met. Section 1.408(q)–1(f)(2) provides that these deemed IRAs must be held in a trust or annuity contract separate from the trust or annuity contract of the qualified employer plan. This collection of information is required to ensure that the separate requirements of qualified employer plans and IRAs are met.

Current Actions: There is no change in the paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profit organizations, Not-for-profit Institutions, and State, local or Tribal government.

Estimated Number of Respondents: 800.

Estimated Time per Respondent: 50 hours.

Estimated Total Annual Burden Hours: 40,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: August 19, 2015.

Allan Hopkins,

Tax Analyst.

[FR Doc. 2015–21060 Filed 8–25–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Special Inspector General for Troubled Asset Relief Program; Delegation of Authorities

AGENCY: Office of the Special Inspector General of the Troubled Asset Relief Program, Treasury.

ACTION: Notice of delegation of authorities.

SUMMARY: This notice delegates the authority of the Special Inspector General of the Office of the Inspector General of the Troubled Asset Relief Program (SIGTARP) to issue subpoenas to the SIGTARP Chief of Staff, SIGTARP Deputy Special Inspector General, SIGTARP Deputy Special Inspector General for Audit, SIGTARP Deputy Special Inspector General for Investigations, and SIGTARP General Counsel. This notice also delegates to the SIGTARP Chief of Staff, SIGTARP Deputy Special Inspector General, SIGTARP Deputy Special Inspector General for Investigations, and SIGTARP General Counsel, the authority of the Special Inspector General to request information under 5 U.S.C. 552a(b)(7).

DATES: *Effective date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: B. Chad Bungard, General Counsel, SIGTARP, at (202) 622–1419.

SUPPLEMENTARY INFORMATION: The Emergency Economic Stabilization Act of 2008 (ESSA), created SIGTARP at section 121. 12 U.S.C. 5231. Section 121(d)(1) of EESA endows the Special Inspector General with the authorities set forth at section 6 of the Inspector General Act of 1978, as amended (the Act), 5 U.S.C. App. 3. Section 6(a)(4) of the Act authorizes the Special Inspector General to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence deemed necessary in the performance of the

Special Inspector General's function. This notice delegates this authority to issue subpoenas from the Special Inspector General to the SIGTARP Chief of Staff, SIGTARP Deputy Special Inspector General, SIGTARP Deputy Special Inspector General for Audit, SIGTARP Deputy Special Inspector General for Investigations, and SIGTARP General Counsel.

Section 552a(b)(7) of Title 5, United States Code, authorizes the Special Inspector General to request information protected by the Privacy Act for a civil or criminal law enforcement activity. This notice delegates this authority to request records protected by the Privacy Act for a civil or criminal law enforcement activity from the Special Inspector General to the SIGTARP Chief of Staff, SIGTARP Deputy Special Inspector General, SIGTARP Deputy Special Inspector General for Investigations, and SIGTARP General Counsel.

The Special Inspector General has not limited her authority to issue subpoenas or to request information under 5 U.S.C. 552a by this delegation. Also, this delegation expressly prohibits further delegation or redelegation.

Accordingly, the Special Inspector General delegates the following authorities:

Section A. Authority Delegated

The SIGTARP Special Inspector General delegates to the SIGTARP Chief of Staff, SIGTARP Deputy Special Inspector General, SIGTARP Deputy Special Inspector General for Audit, SIGTARP Deputy Special Inspector General for Investigations, and SIGTARP General Counsel, the authority to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the functions assigned by EESA.

Additionally, the Special Inspector General delegates to the SIGTARP Chief of Staff, SIGTARP Deputy Special Inspector General, SIGTARP Deputy Special Inspector General for Investigations, and SIGTARP General Counsel, the authority to request information under 5 U.S.C. 552a(b)(7).

Section B. No Further Delegation or Redelegation

The authority delegated in Section A above may not be further delegated or redelegated.

Authority: 12 U.S.C. 5231; Pub. L. 110–343, § 121; 5 U.S.C. App. 3 § 6(a)(4); 5 U.S.C. 301.

Christy Romero,

Special Inspector General.

[FR Doc. 2015–21124 Filed 8–25–15; 8:45 am]

BILLING CODE 4810–25–P

FEDERAL REGISTER

Vol. 80 Wednesday,

No. 165 August 26, 2015

Part II

Department of the Interior

Fish and Wildlife Service

50 CFR Part 32

2015–2016 Refuge-Specific Hunting and Sport Fishing Regulations; Final Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

[Docket No. FWS–HQ–NWRS–2015–0029; FXRS12650900000–156–FF09R20000]

RIN 1018–BA57

2015–2016 Refuge-Specific Hunting and Sport Fishing Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service or we) adds 1 national wildlife refuge (NWR or refuge) to the list of areas open for hunting, adds 4 NWRs to the list of areas open for fishing, increases the hunting activities available at 16 other NWRs, increases fishing opportunities at 1 NWR, and adds pertinent refuge-specific regulations for other NWRs that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 2015–2016 season.

DATES: This rule is effective August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Brian Salem, (703) 358–2397.

SUPPLEMENTARY INFORMATION: The National Wildlife Refuge System Administration Act of 1966 closes NWRs in all States except Alaska to all uses until opened. The Secretary of the Interior (Secretary) may open refuge areas to any use, including hunting and/or sport fishing, upon a determination that such uses are compatible with the purposes of the refuge and National Wildlife Refuge System mission. The action also must be in accordance with provisions of all laws applicable to the areas, developed in coordination with the appropriate State fish and wildlife agency(ies), consistent with the principles of sound fish and wildlife management and administration, and otherwise in the public interest. These requirements ensure that we maintain the biological integrity, diversity, and environmental health of the Refuge System for the benefit of present and future generations of Americans.

We annually review refuge hunting and sport fishing programs to determine whether to include additional refuges or whether individual refuge regulations governing existing programs need modifications. Changing environmental conditions, State and Federal regulations, and other factors affecting fish and wildlife populations and habitat may warrant modifications to refuge-specific regulations to ensure the continued compatibility of hunting and sport fishing programs and to ensure that these programs will not materially interfere with or detract from the fulfillment of refuge purposes or the Refuge System's mission.

Provisions governing hunting and sport fishing on refuges are in title 50 of the Code of Federal Regulations in part 32 (50 CFR part 32). We regulate hunting and sport fishing on refuges to:

- Ensure compatibility with refuge purpose(s);
- Properly manage fish and wildlife resource(s);
- Protect other refuge values;
- Ensure refuge visitor safety; and
- Provide opportunities for quality fish- and wildlife-dependent recreation.

On many refuges where we decide to allow hunting and sport fishing, our general policy of adopting regulations identical to State hunting and sport fishing regulations is adequate in meeting these objectives. On other refuges, we must supplement State regulations with more-restrictive Federal regulations to ensure that we meet our management responsibilities, as outlined in the Statutory Authority section, below. We issue refuge-specific hunting and sport fishing regulations when we open wildlife refuges to migratory game bird hunting, upland game hunting, big game hunting, or sport fishing. These regulations may list the wildlife species that you may hunt or fish, seasons, bag or creel (container for carrying fish) limits, methods of hunting or sport fishing, descriptions of areas open to hunting or sport fishing, and other provisions as appropriate. You may find previously issued refuge-specific regulations for hunting and sport fishing in 50 CFR part 32. In this rulemaking, we are standardizing and clarifying the language of existing regulations.

Statutory Authority

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee, as amended by the National Wildlife Refuge System Improvement Act of 1997 [Improvement Act]) (Administration Act), and the Refuge Recreation Act of 1962 (16 U.S.C. 460k–460k–4) (Recreation Act) govern the administration and public use of refuges.

Amendments enacted by the Improvement Act built upon the Administration Act in a manner that provides an ''organic act'' for the Refuge System, similar to organic acts that exist for other public Federal lands. The Improvement Act serves to ensure that we effectively manage the Refuge System as a national network of lands, waters, and interests for the protection and conservation of our Nation's wildlife resources. The Administration Act states first and foremost that we focus our Refuge System mission on conservation of fish, wildlife, and plant resources and their habitats. The Improvement Act requires the Secretary, before allowing a new use of a refuge, or before expanding, renewing, or extending an existing use of a refuge, to determine that the use is compatible with the purpose for which the refuge was established and the mission of the Refuge System. The Improvement Act established as the policy of the United States that wildlife-dependent recreation, when compatible, is a legitimate and appropriate public use of the Refuge System, through which the American public can develop an appreciation for fish and wildlife. The Improvement Act established six wildlife-dependent recreational uses as the priority general public uses of the Refuge System. These uses are: Hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

The Recreation Act authorizes the Secretary to administer areas within the Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that doing so is practicable and not inconsistent with the primary purpose(s) for which Congress and the Service established the areas. The Recreation Act requires that any recreational use of refuge lands be compatible with the primary purpose(s) for which we established the refuge and not inconsistent with other previously authorized operations.

The Administration Act and Recreation Act also authorize the Secretary to issue regulations to carry out the purposes of the Acts and regulate uses.

We develop specific management plans for each refuge prior to opening it to hunting or sport fishing. In many cases, we develop refuge-specific regulations to ensure the compatibility of the programs with the purpose(s) for which we established the refuge and the Refuge System mission. We ensure initial compliance with the Administration Act and the Recreation Act for hunting and sport fishing on newly acquired refuges through an interim determination of compatibility made at or near the time of acquisition. These regulations ensure that we make the determinations required by these acts prior to adding refuges to the lists of areas open to hunting and sport fishing in 50 CFR part 32. We ensure continued compliance by the development of comprehensive

conservation plans, specific plans, and by annual review of hunting and sport fishing programs and regulations.

Response to Comments Received

In the June 11, 2015, **Federal Register** (80 FR 33341), we published a proposed rule identifying changes pertaining to migratory game bird hunting, upland game bird hunting, big game hunting, and sport fishing to existing refuge-specific regulations on certain refuges for the 2015–2016 season. We received 59 comments on the proposed rule during its 30-day comment period. The majority of comments were in support of the proposed rule; 5 comments were opposed to the proposed rule. The remainder expressed neither support nor opposition to the proposed rule but supplied comments. Below, we discuss the comments we received..

Comment 1: A commenter felt hunting was inappropriate on NWRs, and believes the Service needs to stop opening and expanding hunting opportunities. The commenter was specifically against the hunting expansion on Wallkill NWR.

Response 1: The Administration Act, amended by the Improvement Act, stipulates that hunting (along with fishing, wildlife observation and photography, and environmental education and interpretation), if found to be compatible, is a legitimate and priority general public use of a refuge and should be facilitated. The Service has adopted policies and regulations implementing the requirements of the Improvement Act that refuge managers comply with when considering hunting and fishing programs. Each refuge manager makes a decision regarding hunting on that particular refuge only after rigorous examination of the available information. Developing or referencing a comprehensive conservation plan (CCP), a 15-year plan for the refuge, is generally the first step a refuge manager takes. Our policy for managing units of the Refuge System is that we will manage all refuges in accordance with an approved CCP which, when implemented, will achieve refuge purposes; help fulfill the Refuge System mission; maintain and, where appropriate, restore the ecological integrity of each refuge and the Refuge System; help achieve the goals of the National Wilderness Preservation System; and meet other mandates. The CCP will guide management decisions and set forth goals, objectives, and strategies to accomplish these ends. The next step for refuge managers is developing or referencing step-down plans, of which a hunting plan would be one. Part of the process for opening a refuge to hunting after completing the step-down plan would be appropriate compliance with the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*), such as conducting an environmental assessment accompanied by the appropriate decision documentation (record of decision, finding of no significant impact, or environmental action memorandum or statement). The rest of the elements in the opening package are: Section 7 evaluation, copies of letters requesting State and/or tribal involvement, draft news release and outreach plan, and draft refuge-specific regulatory language. The CCP, hunt plan, and NEPA documentation are made available for public comment, in addition to the proposed rule, before we allow hunting on a refuge.

In sum, this illustrates that the decision to allow hunting on an NWR is not a quick or simple process. It is full of deliberation and discussion, including review of all available data to determine the relative health of a population before we allow it to be hunted.

We allow hunting of resident wildlife on NWRs only if such activity has been determined compatible with the established purpose(s) of the refuge and the mission of the Refuge System as required by the Administration Act. Hunting of resident wildlife on NWRs generally occurs consistent with State regulations, including seasons and bag limits. Refuge-specific hunting regulations can be more restrictive (but not more liberal) than State regulations and often are more restrictive in order to help meet specific refuge objectives. These include resident wildlife population and habitat objectives, minimizing disturbance impacts to wildlife, maintaining high-quality opportunities for hunting and other wildlife-dependent recreation, eliminating or minimizing conflicts with other public uses and/or refuge management activities, and protecting public safety.

Please consult the cumulative impacts report at: *http://www.regulations.gov/#!docketDetail;D=FWS-HQ-NWRS-2015-0029* for a more indepth discussion. In sum, as a result of the proposed hunting expansion, none of the known, estimated, or projected harvests of big game, small game, or upland game species at these refuges has been determined or expected to have significant adverse direct, indirect, or cumulative impacts to any big game, small game, or upland game wildlife population. Similarly, Wallkill NWR would not experience significant adverse impacts to its wildlife. We made no changes to the rule as a result of this comment.

Comment 2: Several commenters expressed support for hunting and fishing expansions on NWRs.

Response 2: In passing the Improvement Act, Congress reaffirmed that the Refuge System was created to conserve fish, wildlife, plants, and their habitats and would facilitate opportunities for Americans to participate in compatible wildlife-dependent recreation, including hunting and fishing on Refuge System lands.

Comment 3: Numerous commenters expressed concern regarding a proposed prohibition on falconry at Piedmont NWR in Georgia, and Wallkill NWR in New Jersey. The commenters state that we offer no explanation in the cumulative impacts report and no environmental, biological, or other such scientific justification for the prohibitions. They contend that falconry is a legal means of hunting and take in the States of Georgia and New Jersey, as it is in 49 of the 50 States. They object strongly and believe our prohibition appears to be ''prejudicial and a denied equitable public opportunity'' on the above-mentioned refuges and request that we remove such a bias from the regulations by allowing falconry. The commenters requested any prohibition on falconry be removed on NWRs.

Response 3: By law, refuges may be more restrictive than the States when setting individual refuge-specific regulations but may not more liberal.

Regarding policy specific to falconry, Service policy, as outlined in our Service manual at 605 FW 2.7M (Special Hunts), stipulates, ''We will address special types of hunts, such as falconry, in the hunt section of the visitor service plan (VSP).'' In other words, each refuge manager, when developing their step-down visitor service's plan (which would include a hunt plan, if appropriate) from their CCP, must first determine if hunting is compatible. Assuming it is found to be compatible, the refuge manager would next determine the conduct of the hunt, which might include the use of falconry. A refuge manager has discretion to restrict hunting and types of hunting, specifically falconry, such as if endangered or threatened species are present, the cumulative impacts of a type of hunt have not been analyzed or are not available, or if a type of special hunt is not compatible with the refuge; thus, this issue is decided individually on a refuge-by-refuge basis.

We have not completed an assessment at Piedmont or Wallkill NWRs of short-term, long-term, or cumulative impacts related to this type of special hunt,

which would be necessary as falconry has not been allowed at these refuges in the past. We made no changes to the rule as a result of this comment.

Comment 4: A commenter stated that they believe all NWRs should become or remain open to hunting.

Response 4: The Improvement Act promotes wildlife-dependent recreation, including hunting and fishing, provided it is compatible with both the Refuge System mission and individual refuge purpose and mission. Conservation, the overarching mission of the National Wildlife Refuge System, is the dominant use on refuge system lands. Each refuge manager gives the decision to allow hunting, and the stipulations of the hunting program, on a particular refuge rigorous examination. As stated in our response to Comment 1, the decision to allow hunting on a NWR is not a quick or simple process. It is full of deliberation and discussion, including review of all available data to determine the relative health of a population before we allow it to be hunted. No changes were made as a result of this comment.

Comment 5: Several commenters opposed a specific element of the proposed regulations for Mathews Brake NWR: the requirement that all waterfowl hunters must launch their boats from, and return their boats to, the public boat ramp located on the refuge. This requirement would exclude boat access to refuge waters from private land.

Response 5: We have considered the public comments we received regarding the proposed requirement that all waterfowl hunters must launch their boats from, and return their boats to, the public boat ramp located on Mathews Brake NWR. In response to these comments, we have decided at this time not to adopt the proposed requirement. Under this final rule, the general public will still be able to access the refuge via private land with appropriate permission during weekdays (Monday-Friday) when the refuge is open to all waterfowl hunting. We made this decision because of concerns over overcrowding at the boat ramp located on the refuge.

Comment 6: One commenter agreed with the proposed requirement that all waterfowl hunters must launch their boats from, and return their boats to, the public boat ramp located on Mathews Brake NWR. This proposed requirement would exclude access to refuge waters from private land.

Response 6: We have decided not to adopt the proposed requirement mentioned by this commenter. See our response to Comment 5 for more information.

Comment 7: A commenter opined that State-run Wildlife Management Areas and private hunt clubs offer enough opportunities for hunters. They believe that non-consumptive users that participate in wildlife observation and photography should enjoy a higher priority when it comes to use of refuge lands.

Response 7: Most refuge hunt programs have established refuge-specific regulations to improve the quality of the hunting experience as well as provide for quality wildlife-dependent experiences for other users. Refuge visitor use programs are adjusted, as needed, to eliminate or minimize conflicts between users. Virtually all of the refuges open to hunting and other wildlife-dependent recreational uses use time and space zoning as an effective method to reduce conflicts between hunting and other uses. Eliminating or restricting overlap between hunt areas and popular areas for other wildlife-dependent recreation allows opportunity for other users to safely enjoy the refuge in non-hunted areas during hunting seasons. Restrictions on the number of hunters and the time periods in which they may hunt are also frequently used to minimize conflicts between user groups. Public outreach accompanying the opening of hunting seasons is frequently used to make other wildlife-dependent recreational users aware of the seasons and minimize conflicts. No changes were made as a result of this comment.

Comment 8: A commenter agreed with the expansion of hunting opportunities on Swan Lake NWR but did not think prohibiting hunting or shooting on, across, or within 100 feet of a Service road, parking lot, or designated trail should apply to upland-game hunting. The commenter also noted that the size of the hunting units and requirement to check-in and check-out will deter more hunters from participating.

Response 8: We believe that prohibiting hunting within 100 feet of any Service road, parking lot, or designated trail will increase public safety for hunters, Service personnel, and other user groups. Refuge Managers analyze the hunting areas they designate in order to ensure that the refuge provides a high-quality hunting experience, there is minimal negative impacts on wildlife population and habitat objectives, conflicts between other wildlife-dependent public uses and/or refuge management activities are minimized, and regulations are in place to increase public safety. No changes were made as a result of this comment.

Comment 9: A commenter supported the hunting expansions but demanded that refuges open and expand hunting opportunities at a faster pace. Specifically, the commenter recommended we increase hunting opportunities on refuges in urban communities and offer more programs specific to urban youth. Finally, the commenter requested the Service develop a strategic plan detailing the process for opening lands not currently opened to hunting.

Response 9: The Improvement Act promotes wildlife-dependent recreation, including hunting and fishing, provided it is compatible with both the Refuge System mission and individual refuge purpose and mission. Conservation, the overarching mission of the NWR System, is the dominant use on refuge system lands. Each refuge manager gives the decision to allow hunting on a particular refuge rigorous examination. As stated in our response to Comment 1, the decision to allow hunting on a NWR is not a quick or simple process. It is full of deliberation and discussion, including review of all available data to determine the relative health of a population before we allow it to be hunted.

Refuge Managers analyze the hunting areas they designate in order to ensure that the refuge provides a high-quality hunting experience, there is minimal negative impacts on wildlife population and habitat objectives, conflicts between other wildlife-dependent public uses and/or refuge management activities are minimized, and regulations are in place to increase public safety.

The principal focus of the Improvement Act was to clearly establish a wildlife conservation mission for the Refuge System and provide managers clear direction to make determinations regarding wildlife conservation and public uses within the units of the Refuge System. The Service manages NWRs primarily for wildlife conservation, habitat protection, and biological integrity, and allows uses only when compatible with refuge purposes. In passing the Improvement Act, Congress reaffirmed that the Refuge System was created to conserve fish, wildlife, plants, and their habitats and would facilitate opportunities for Americans to participate in compatible wildlife-dependent recreation, including hunting and fishing on Refuge System lands. The Service has adopted policies and regulations implementing the requirements of the Improvement Act that refuge managers comply with when considering hunting and fishing

programs. Implementing these requirements and other Federal laws takes time, but if found to be compatible, the hunting and/or fishing program is opened as quickly as possible. No changes were made as a result of this comment.

We agree with the commenter on the importance of hunting opportunities in urban communities and specifically opportunities for urban youth. We will facilitate these programs when properly analyzed and as staffing levels allow. Developing a strategic plan detailing the process for opening lands not currently opened to hunting will be of little benefit as the process we must follow is mandated by legislation, regulations, and policy. Please see Comment 1 for the process we must go through when opening a refuge unit to hunting or fishing.

In addition to the comments mentioned above, we received several comments that did not relate to the proposed rule. We are open to receiving comments on other issues, but we are responding only to those comments directly related to the proposed rule in this document.

Changes From the Proposed Rule

Based on comments we received on the proposed rule, we are not adopting the proposed requirement at Mathews Brake NWR that all waterfowl hunters must launch their boats from, and return to their boats to, the boat ramp on the refuge. Under this final rule, the general public will still be able to access the refuge via private land with appropriate permission during weekdays (Monday–Friday) when the refuge is open to all waterfowl hunting. In addition, for Sacramento River National Wildlife Refuge, we have changed the age for junior hunters from 16 to 17 in order to stay consistent with State regulations. Also, for Great River National Wildlife Refuge, we deleted a reference to special State-managed hunts for big game because there are no such hunts on that refuge. Finally, we made several nonsubstantive, editorial changes for clarity and consistency.

Effective Date

This rule is effective upon publication in the **Federal Register**. We have determined that any further delay in implementing these refuge-specific hunting and sport fishing regulations would not be in the public interest, in that a delay would hinder the effective planning and administration of the hunting and fishing programs. We provided a 30-day public comment period for the June 11, 2015, proposed rule. This rule does not impact the public generally in terms of requiring lead time for compliance. Rather it relieves restrictions in that it allows activities on refuges that we would otherwise prohibit. Therefore, we find good cause under 5 U.S.C. 553(d)(3) to make this rule effective upon publication.

Amendments to Existing Regulations

This document adopts in the Code of Federal Regulations all of the Service's hunting and/or sport fishing regulations since the last time we published a rule amending these regulations (79 FR 14809; March 17, 2014) and that are applicable at Refuge System units previously opened to hunting and/or sport fishing. We are doing this to better inform the general public of the regulations at each refuge, to increase understanding and compliance with these regulations, and to make enforcement of these regulations more efficient. In addition to now finding these regulations in 50 CFR part 32, visitors to our refuges may find them reiterated in literature distributed by each refuge or posted on signs.

We cross-reference a number of existing regulations in 50 CFR parts 26, 27, 28, and 32 to assist hunting and sport fishing visitors with understanding safety and other legal requirements on refuges. This redundancy is deliberate, with the intention of improving safety and compliance in our hunting and sport fishing programs.

TABLE 1—CHANGES FOR 2015–2016 HUNTING/FISHING SEASON

Refuge/Region (*)	State	Migratory bird hunting	Upland game hunting	Big game hunting	Sport fishing
Ardoch NWR (6)	North Dakota	Closed	Closed	Closed	A.
Bayou Cocodrie NWR (4).	Louisiana	Already open	C	C/D	Already open.
Great River NWR (3)	Illinois and Missouri	Already open	C	C	Already Open.
Lake Alice NWR (6)	North Dakota	Already open	Already open	Already open	B.
Merritt Island NWR (4).	Florida	Already open	Closed	B	Already open.
Mingo NWR (3)	Missouri	Already open	Already open	D	Already open.
Minnesota Valley NWR (3).	Minnesota	Already open	D	Already open	Already open.
Missisquoi NWR (5)	Vermont	C/D	C/D	C/D	Already open.
Northern Tallgrass Prairie NWR (3).	Iowa and Minnesota	C/D	C/D	C/D	Closed.
Patoka River NWR and Management Area (3).	Indiana	C	C	C	C.
Prime Hook NWR (5)	Delaware	C	C/D	C	Already open.
Rose Lake NWR (6)	North Dakota	Closed	Closed	Closed	A.
Sacramento River NWR (8).	California	Already open	Already open	C/D	Already open.
St. Marks NWR (4)	Florida	Already open	C	C	Already open.
Seney NWR (3)	Michigan	C	C	C	Already open.
Silver Lake NWR (6)	North Dakota	Closed	Closed	Closed	A.
Swan Lake NWR (3)	Missouri	C/D	C/D	C/D	Already open.
Tualatin River NWR (1).	Oregon	A	Closed	Closed	Closed.
Two Rivers NWR (3)	Illinois and Missouri	C	Already Open	C	Already open.
Wallkill River NWR (5).	New Jersey and New York.	Already open	B	C/D	Already open.

TABLE 1—CHANGES FOR 2015–2016 HUNTING/FISHING SEASON—Continued

Refuge/Region (*)	State	Migratory bird hunting	Upland game hunting	Big game hunting	Sport fishing
William L. Finley NWR (1).	Oregon	Closed	Closed	D	Closed.

Key:
*number in ( ) refers to the Region as explained in the preamble to this rule for additional information regarding refuge specific regulations.
A = New refuge opened.
B = New activity on a refuge previously open to other activities.
C = Refuge already open to activity, but added new lands/waters or modified areas open to hunting or fishing.
D = Refuge already open to activity but added new species to hunt.

The changes for the 2015–16 hunting/fishing season noted in the chart above are each based on a complete administrative record which, among other detailed documentation, also includes a hunt plan, a compatibility determination, and the appropriate National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et se.*) analysis, all of which were the subject of a public review and comment process. These documents are available upon request.

Fish Advisory

For health reasons, anglers should review and follow State-issued consumption advisories before enjoying recreational sport fishing opportunities on Service-managed waters. You can find information about current fish consumption advisories on the Internet at: *http://www.epa.gov/waterscience/fish/.*

Plain Language Mandate

In this rule, we made some of the revisions to the individual refuge units to comply with a Presidential mandate to use plain language in regulations; as such, these particular revisions do not modify the substance of the previous regulations. These types of changes include using ''you'' to refer to the reader and ''we'' to refer to the Refuge System, using the word ''allow'' instead of ''permit'' when we do not require the use of a permit for an activity, and using active voice (*i.e.,* ''We restrict entry into the refuge'' vs. ''Entry into the refuge is restricted'').

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) will review all significant rules. OIRA has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (as amended by the Small Business Regulatory Enforcement Fairness Act [SBREFA] of 1996) (5 U.S.C. 601 *et seq.*), whenever a Federal agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (*i.e.,* small businesses, small organizations, and small government jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Thus, for a regulatory flexibility analysis to be required, impacts must exceed a threshold for ''significant impact'' and a threshold for a ''substantial number of small entities.'' See 5 U.S.C. 605(b). SBREFA amended the Regulatory Flexibility Act to require Federal agencies to provide a statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities.

This rule adds 1 NWR to the list of refuges open to hunting and increases hunting activities on 16 additional NWRs. It adds 4 NWRs to the list of refuges open to fishing and increases fishing activities at 1 additional NWR. As a result, visitor use for wildlife-dependent recreation on these NWRs will change. If the refuges establishing new programs were a pure addition to the current supply of such activities, it will mean an estimated increase of 16,266 user days (one person per day participating in a recreational opportunity, Table 2). Because the participation trend is flat in these activities since 1991, this increase in supply will most likely be offset by other sites losing participants. Therefore, this is likely to be a substitute site for the activity and not necessarily an increase in participation rates for the activity.

TABLE 2—ESTIMATED CHANGE IN RECREATION OPPORTUNITIES IN 2015/2016

[Dollars in thousands]

Refuge	Additional days	Additional expenditures
Ardoch	150	$6.2
Bayou Cocodrie	60	$2.3
Great River	185	$7.2
Lake Alice	6,442	$266.7
Merritt Island	1,350	$52.5
Mingo	0	—

TABLE 2—ESTIMATED CHANGE IN RECREATION OPPORTUNITIES IN 2015/2016—Continued

[Dollars in thousands]

Refuge	Additional days	Additional expenditures
Minnesota Valley	64	$2.5
Missisquoi	665	$25.9
Northern Tallgrass Prairie	125	$4.9
Patoka River	1,112	$45.5
Prime Hook	336	$13.1
Rose Lake	502	$20.8
Sacramento River	250	$9.7
St. Marks	1,000	$38.9
Seney	0	—
Silver Lake	2,244	$92.9
Swan Lake	1,320	$51.4
Tualatin River	224	$8.7
Two Rivers	195	$7.6
Wallkill River	30	$1.2
William L. Finley	12	$0.5
Total	16,266	$658.5

To the extent visitors spend time and money in the area of the refuge that they would not have spent there anyway, they contribute new income to the regional economy and benefit local businesses. Due to the unavailability of site-specific expenditure data, we use the national estimates from the 2011 National Survey of Fishing, Hunting, and Wildlife Associated Recreation to identify expenditures for food and lodging, transportation, and other incidental expenses. Using the average expenditures for these categories with the maximum expected additional participation of the Refuge System yields approximately $658,500 in recreation-related expenditures (Table 2). By having ripple effects throughout the economy, these direct expenditures are only part of the economic impact of these recreational activities. Using a national impact multiplier for hunting activities (2.27) derived from the report ''Hunting in America: An Economic Force for Conservation'' and for fishing activities (2.40) derived from the report ''Sportfishing in America'' yields a total economic impact of approximately $1.55 million (2014 dollars) (Southwick Associates, Inc., 2012). Using a local impact multiplier would yield more accurate and smaller results. However, we employed the national impact multiplier due to the difficulty in developing local multipliers for each specific region.

Since we know that most of the fishing and hunting occurs within 100 miles of a participant's residence, then it is unlikely that most of this spending would be ''new'' money coming into a local economy; therefore, this spending would be offset with a decrease in some other sector of the local economy. The net gain to the local economies would be no more than $1.55 million, and most likely considerably less. Since 80 percent of the participants travel less than 100 miles to engage in hunting and fishing activities, their spending patterns would not add new money into the local economy and, therefore, the real impact would be on the order of about $310,000 annually.

Small businesses within the retail trade industry (such as hotels, gas stations, taxidermy shops, bait and tackle shops, and similar businesses) may be impacted from some increased or decreased refuge visitation. A large percentage of these retail trade establishments in the local communities around NWRs qualify as small businesses (Table 3). We expect that the incremental recreational changes will be scattered, and so we do not expect that the rule will have a significant economic effect on a substantial number of small entities in any region or nationally. As noted previously, we expect approximately $310,000 to be spent in total in the refuges' local economies. The maximum increase at most would be less than one-tenth of 1 percent for local retail trade spending (Table 3).

TABLE 3—COMPARATIVE EXPENDITURES FOR RETAIL TRADE ASSOCIATED WITH ADDITIONAL REFUGE VISITATION FOR 2015/2016

[Thousands, 2014 dollars]

Refuge/County(ies)	Retail trade in 2007	Estimated maximum addition from new activities	Addition as % of total	Establishments in 2012	Establ. with < 10 emp in 2012
Ardoch					
Walsh, ND	$112,752	$6.2	0.006%	58	40
Bayou Cocodrie					
Concordia, LA	222,552	2.3	0.001	83	60
Great River					
Adams, IL	1,059,889	1.4	<0.001	300	202
Pike, IL	155,819	1.4	0.001	53	36
Clark, MO	101,269	1.4	0.001	35	28
Shelby, MO	56,054	1.4	0.003	35	25
Lewis, MO	67,717	1.4	0.002	30	20
Lake Alice					
Ramsey, ND	267,463	266.7	0.100	80	56

TABLE 3—COMPARATIVE EXPENDITURES FOR RETAIL TRADE ASSOCIATED WITH ADDITIONAL REFUGE VISITATION FOR 2015/2016—Continued

[Thousands, 2014 dollars]

Refuge/County(ies)	Retail trade in 2007	Estimated maximum addition from new activities	Addition as % of total	Establishments in 2012	Establ. with < 10 emp in 2012
Merritt Island					
Brevard, FL	7,528,790	26.3	<0.001	1,956	1,443
Volusia, FL	6,964,692	26.3	<0.001	1,871	1,412
Minnesota Valley					
Carver, MN	921,566	0.4	<0.001	209	132
Dakota, MN	5,896,056	0.4	<0.001	1,132	689
Hennepin, MN	25,437,206	0.4	<0.001	4,209	2,657
Le Sueur, MN	235,446	0.4	<0.001	84	58
Scott, MN	1,335,522	0.4	<0.001	323	215
Sibley, MN	86,154	0.4	<0.001	54	39
Missisquoi					
Franklin, VT	622,657	12.9	0.002	197	129
Orleans, VT	370,098	12.9	0.003	147	110
Northern Tallgrass Prairie					
Dickinson, IA	291,367	0.5	<0.001	111	85
Kossuth, IA	223,589	0.5	<0.001	93	69
Clay, MN	719,600	0.5	<0.001	163	97
Kittson, MN	47,141	0.5	0.001	30	21
Murray, MN	53,206	0.5	0.001	43	34
Rock, MN	124,588	0.5	<0.001	42	31
Otter Tail, MN	804,419	0.5	<0.001	261	201
Lincoln, MN	60,635	0.5	0.001	38	29
Stevens, MN	194,164	0.5	<0.001	50	32
Patoka River					
Gibson, IN	505,351	22.8	0.005	122	84
Pike, IN	63,864	22.8	0.036	31	23
Prime Hook					
Sussex, DE	3,401,815	13	<0.001	1,107	789
Rose Lake					
Nelson, ND	27,841	20.8	0.075	19	15
Sacramento River					
Tehama, CA	839,653	2.4	<0.001	153	118
Glenn, CA	232,872	2.4	0.001	73	58
Butte, CA	2,740,982	2.4	<0.001	723	517
Colusa, CA	238,107	2.4	0.001	59	45
Saint Marks					
Wakulla, FL	191,471	13.0	0.007	62	49
Jefferson, FL	101,289	13.0	0.013	43	35
Taylor, FL	236,429	13.0	0.005	86	67
Silver Lake					
Benson, ND	22,991	46.46	0.202	9	7
Ramsey, ND	267,463	46.46	0.017	80	56
Swan Lake					
Bates, MO	154,620	10.3	0.007	59	47
Cedar, MO	136,878	10.3	0.008	48	34
Chariton, MO	59,162	10.3	0.017	41	32
Henry, MO	324,554	10.3	0.003	115	88
St. Claire, MO	73,925	10.3	0.014	34	21
Tualatin River					
Washington, OR	9,995,463	8.7	<0.001	1,594	1,002
Two Rivers					
Calhoun, IN	25,469	7.6	0.030	15	9
Wallkill River					
Sussex, NJ	1,966,557	0.2	<0.001	414	299
Orange, NY	6,541,423	0.2	<0.001	1,503	1,017
William L. Finley					
Benton, OR	782,306	0.2	<0.001	262	184
Linn, OR	1,323,264	0.2	<0.001	339	247

With the small change in overall spending anticipated from this rule, it is unlikely that a substantial number of small entities will have more than a small impact from the spending change near the affected refuges. Therefore, we certify that this rule will not have a significant economic effect on a substantial number of small entities as defined under the Regulatory Flexibility Act (5 U.S.C. 601 *et se.*). A regulatory flexibility analysis is not required. Accordingly, a small entity compliance guide is not required.

Small Business Regulatory Enforcement Fairness Act

The rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. We anticipate no significant employment or small business effects. This rule:

a. Will not have an annual effect on the economy of $100 million or more. The minimal impact will be scattered across the country and will most likely not be significant in any local area.

b. Will not cause a major increase in costs or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions. This rule will have only a slight effect on the costs of hunting opportunities for Americans. If the substitute sites are farther from the participants' residences, then an increase in travel costs will occur. The Service does not have information to quantify this change in travel cost but assumes that, since most people travel less than 100 miles to hunt, the increased travel cost will be small. We do not expect this rule to affect the supply or demand for hunting opportunities in the United States and, therefore, it should not affect prices for hunting equipment and supplies, or the retailers that sell equipment.

c. Will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.–based enterprises to compete with foreign–based enterprises. This rule represents only a small proportion of recreational spending at NWRs. Therefore, this rule will have no measurable economic effect on the wildlife-dependent industry, which has annual sales of equipment and travel expenditures of $72 billion nationwide.

Unfunded Mandates Reform Act

Since this rule applies to public use of federally owned and managed refuges, it will not impose an unfunded mandate on State, local, or Tribal governments or the private sector of more than $100 million per year. The rule will not have a significant or unique effect on State, local, or Tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

Takings (E.O. 12630)

In accordance with E.O. 12630, this rule will not have significant takings implications. This rule affects only visitors at NWRs and describes what they can do while on a refuge.

Federalism (E.O. 13132)

As discussed in the Regulatory Planning and Review and Unfunded Mandates Reform Act sections, above, this rule will not have sufficient federalism summary impact statement implications to warrant the preparation of a federalism summary impact statement under E.O. 13132. In preparing this rule, we worked with State governments.

Civil Justice Reform (E.O. 12988)

In accordance with E.O. 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of the Order. The rule clarifies established regulations and result in better understanding of the regulations by refuge visitors.

Energy Supply, Distribution or Use (E.O. 13211)

On May 18, 2001, the President issued E.O. 13211 on regulations that significantly affect energy supply, distribution, or use. E.O. 13211 requires agencies to prepare Statements of Energy Effects when undertaking certain actions. Because this rule will add a new hunt at 1 NWR, increase hunting activities at 16 other NWRs, add fishing to 4 NWRs, and increase fishing opportunities at 1 NWR, it is not a significant regulatory action under E.O. 12866, and we do not expect it to significantly affect energy supplies, distribution, or use. Therefore, this action is not a significant energy action and no Statement of Energy Effects is required.

Consultation and Coordination With Indian Tribal Governments (E.O. 13175)

In accordance with E.O. 13175, we have evaluated possible effects on federally recognized Indian tribes and have determined that there are no effects. We coordinate recreational use on NWRs with Tribal governments having adjoining or overlapping jurisdiction before we propose regulations.

Paperwork Reduction Act

This rule does not contain any information collection requirements other than those already approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and assigned OMB Control Numbers 1018–0102 (expires June 30, 2017), 1018–0140 (expires May 31, 2018), and 1018–0153 (expires December 31, 2015). 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.

Endangered Species Act Section 7 Consultation

We comply with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), when developing comprehensive conservation plans and step-down management plans—which would include hunting and/or fishing plans—for public use of refuges, and prior to implementing any new or revised public recreation program on a refuge as identified in 50 CFR 26.32. We have completed section 7 consultation on each of the affected refuges.

National Environmental Policy Act

We analyzed this rule in accordance with the criteria of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)), 43 CFR part 46, and 516 Departmental Manual (DM) 8.

A categorical exclusion from NEPA documentation applies to publication of amendments to refuge-specific hunting and fishing regulations because they are technical and procedural in nature, and the environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis (43 CFR 46.210 and 516 DM 8). Concerning the actions that are the subject of this rulemaking, we have complied with NEPA at the project level when developing each proposal. This is consistent with the Department of the Interior instructions for compliance with NEPA where actions are covered sufficiently by an earlier environmental document (43 CFR 46.120).

Prior to the addition of a refuge to the list of areas open to hunting and fishing in 50 CFR part 32, we develop hunting and fishing plans for the affected refuges. We incorporate these refuge hunting and fishing activities in the refuge comprehensive conservation plan and/or other step-down management plans, pursuant to our refuge planning guidance in 602 Fish and Wildlife Service Manual (FW) 1, 3, and 4. We prepare these comprehensive conservation plans and step-down plans in compliance with section 102(2)(C) of NEPA, and the Council on Environmental Quality's regulations for implementing NEPA in 40 CFR parts 1500–1508. We invite the affected public to participate in the review, development, and implementation of these plans. Copies of all plans and NEPA compliance are available from the refuges at the addresses provided below.

Available Information for Specific Refuges

Individual refuge headquarters have information about public use programs and conditions that apply to their specific programs and maps of their respective areas. To find out how to contact a specific refuge, contact the appropriate Regional office listed below:

Region 1—Hawaii, Idaho, Oregon, and Washington. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Eastside Federal Complex, Suite 1692, 911 NE. 11th Avenue, Portland, OR 97232–4181; Telephone (503) 231–6214.

Region 2—Arizona, New Mexico, Oklahoma, and Texas. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, P.O. Box 1306, 500 Gold Avenue SW., Albuquerque, NM 87103; Telephone (505) 248–6937.

Region 3—Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437–1458; Telephone (612) 713–5360.

Region 4—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the Virgin Islands. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Atlanta, GA 30345; Telephone (404) 679–7166.

Region 5—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, MA 01035–9589; Telephone (413) 253–8307.

Region 6—Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 134 Union Blvd., Lakewood, CO 80228; Telephone (303) 236–8145.

Region 7—Alaska. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 1011 E. Tudor Rd., Anchorage, AK 99503; Telephone (907) 786–3545.

Region 8—California and Nevada. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W–2606, Sacramento, CA 95825; Telephone (916) 414–6464.

Primary Author

Brian Salem, Division of Conservation Planning and Policy, National Wildlife Refuge System is the primary author of this rulemaking document.

List of Subjects in 50 CFR Part 32

Fishing, Hunting, Reporting, and recordkeeping requirements, Wildlife, Wildlife refuges.

Regulation Promulgation

For the reasons set forth in the preamble, we amend title 50, chapter I, subchapter C of the Code of Federal Regulations as follows:

PART 32–[AMENDED]

■ 1. The authority citation for part 32 continues to read as follows:

Authority: 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd–668ee, and 715i.

■ 2. Amend § 32.7 by:
■ a. Adding an entry for ''Iowa Wetland Management District'' and placing it in alphabetical order in the State of Iowa;
■ b. Adding an entry for ''Wallkill National Wildlife Refuge'' and placing it in alphabetical order in the State of New York;
■ c. Adding an entry for ''Ardoch National Wildlife Refuge'' and placing it in alphabetical order in the State of North Dakota;
■ d. Adding an entry for ''Rose Lake National Wildlife Refuge'' and placing it in alphabetical order in the State of North Dakota;
■ e. Adding an entry for ''Silver Lake National Wildlife Refuge'' and placing it in alphabetical order in the State of North Dakota; and
■ f. Adding an entry for ''Tualatin River National Wildlife Refuge'' and placing it in alphabetical order in the State of Oregon.

■ 3. Amend § 32.20 by:
■ a. Under Choctaw National Wildlife Refuge:
■ i. Revising the introductory text of paragraph B, and paragraphs B.1, B.2, B.3, B.5, B.6, B.7, B.8, B.9, and B.10.
■ ii. Revising paragraphs C.2, C.3, C.4, and C.5.
■ iii. Removing paragraph C.6.
■ iv. Revising paragraphs D.1 and D.2.
■ b. Under Eufaula National Wildlife Refuge:
■ i. Revising paragraphs A.3, A.9, and A.15.
■ ii. Adding paragraphs A.16 and A.17.
■ iii. Revising paragraph B.1.
■ iv. Removing paragraph B.5.
■ v. Revising paragraphs C.1 and D.1.

The revisions and additions read as follows:

§ 32.20 Alabama.

* * * * *

Choctaw National Wildlife Refuge

* * * * *

B. Upland Game Hunting. We allow hunting of squirrel and rabbit on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We prohibit hunting within 100 yards (91.4 meters) of the fenced-in refuge work center area, designated hiking trails, and refuge boats ramps.

2. We prohibit leaving unattended personal property, including, but not limited to, boats or vehicles of any type, geocaches, and cameras, overnight on the refuge (see § 27.93 of this chapter). We prohibit marking trees and using flagging tape, reflective tacks, and other similar marking devices.

3. Hunters may take incidental species (coyote, beaver, nutria, and feral hog) during any hunt with those weapons legal during those hunts as defined by the State of Alabama. Persons may only use approved nontoxic shot in shotgun shells (see § 32.2(k)), .22 caliber rimfire or smaller rifles, or legal archery equipment according to State regulations. We prohibit use of magnum ammunition, including .22 caliber magnum and .17 Hornady Magnum Rimfire (HMR), for hunting.

* * * * *

5. All persons age 15 or younger, while hunting on the refuge, must be in the presence and under direct supervision of a licensed or exempt hunter at least age 21. A licensed hunter supervising a youth as provided in this section must hold a valid State license for the species being hunted. One adult may supervise no more than two youth hunters.

6. The refuge is open daily from 1 hour before legal sunrise to 1 hour after legal sunset. Personal property must be removed from the refuge daily (see § 27.93 of this chapter).

7. We require all hunters to record hours hunted and all harvested game on the Upland Game Hunt Report (FWS Form 3–2362) at the conclusion of each day at one of the refuge check stations.

8. Persons possessing, transporting, or carrying firearms on the refuge must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

9. We prohibit equestrian use, domestic livestock, and all forms of motorized off-road vehicles.

10. We allow hunting with unleashed dogs for squirrel and rabbit only.

* * * * *

C. Big Game Hunting. * * *

* * * * *

2. Deer hunters may place portable stands on the refuge for use while deer hunting only during the open deer season. All stands must be clearly labeled with the name, address, and phone number. When not in use and left on the refuge overnight, stands must be placed in a non-hunting position at ground level.

3. While climbing a tree, installing a tree stand that uses climbing aids, or hunting from a tree stand on the refuge, hunters must use a fall-arrest system (full body harness) that is manufactured to the Tree Stand Manufacturers Association's standards.

4. We prohibit damaging trees, including driving or screwing any metal object into a tree or hunting from a tree in which a metal object has been driven or screwed to support a hunter (see § 32.2(i)). Other than deer stands, all personal property must be removed from the refuge each day (see § 27.93 of this chapter).

5. We prohibit hunting by aid or distribution of any feed, salt, scent attractant, or other mineral at any time (see § 32.2(h)).

D. Sport Fishing. * * *

1. We allow fishing year-round, except in the waterfowl sanctuary area as depicted within the refuge brochure. The waterfowl sanctuary is closed to fishing from November 15 through March 1.

2. Conditions B2, B4, B6, B8, B9, and C4 apply.

* * * * *

Eufaula National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

* * * * *

3. All youth hunters (ages 10 through 15) must remain within sight and normal voice contact of a properly licensed hunting adult age 21 or older. Youth hunters must possess and carry verification of passing a State-approved hunter education course. One adult may supervise no more than two youth hunters.

* * * * *

9. We allow access to the refuge for hunting from 1½ hours before legal sunrise to 1½ hours after legal sunset.

* * * * *

15. We prohibit the use of all air-thrust boats, including airboats, aircraft, boats with secondary fans, and hovercraft.

16. We prohibit the use of personal watercraft or air-cooled propulsion engines outside of marked navigation channels.

17. We prohibit the mooring or storing of boats from 1½ hours after legal sunset to 1½ hours before legal sunrise.

B. Upland Game Hunting. * * *

1. Conditions A1, A2, A3, and A7 through A17 apply.

* * * * *

C. Big Game Hunting. * * *

1. Conditions A1 and A7 through A17 apply.

* * * * *

D. Sport Fishing. * * *

1. Conditions A15 through A17 apply.

* * * * *

■ 4. Amend § 32.22 by:

■ a. Revising paragraphs D.4 and D.5 under Bill Williams National Wildlife Refuge.

■ b. Revising paragraph D.6 under Havasu National Wildlife Refuge.

The revisions read as follows:

§ 32.22 Arizona.

* * * * *

Bill Williams National Wildlife Refuge

* * * * *

D. Sport Fishing. * * *

4. The nonmotorized watercraft launch and Central Arizona Project (CAP) peninsula are day-use only areas and are open from ½ hour before legal sunrise to ½ hour after legal sunset. We allow fishing and the launching of watercraft at these and other areas 24 hours a day.

5. We prohibit the possession or consumption of open containers of alcohol or the possession of glass beverage containers in improved areas, including the nonmotorized watercraft launch and the CAP peninsula.

* * * * *

Havasu National Wildlife Refuge

* * * * *

D. Sport Fishing. * * *

6. The following apply to the improved areas within Havasu NWR. Improved areas consist of the Mesquite Bay areas, Castle Rock, the Diving Cliffs, Catfish Paradise, Five Mile Landing and North Dike.

i. We prohibit entry of all motorized watercraft in all three bays of the Mesquite Bay area as indicated by signs or regulatory buoys.

ii. Improved areas are day-use only and are open from ½ hour before legal sunrise to ½ hour after legal sunset. Fishing and the launching of watercraft are permitted at these and other areas 24 hours a day.

iii. We prohibit the possession or consumption of open containers of alcohol or the possession of glass beverage containers in improved areas.

* * * * *

■ 5. Amend § 32.23 by:

■ a. Under Bald Knob National Wildlife Refuge:

■ i. Revising paragraphs A.2, A.3, A.4, A.6, A.10, A.16, and A.22.

■ ii. Revising the introductory text of paragraph B and paragraphs B.1, B.3, B.4, and B.8.

■ iii. Revising the introductory text of paragraph C and paragraph C.1.

■ iv. Redesignating paragraphs C.6 through C.17 as C.7 through C.18, respectively.

■ v. Adding paragraph C.6.

■ vi. Revising newly designated paragraphs C.9 and C.18.

■ vii. Revising paragraph D.1.

■ b. Revising paragraph B.15 under Big Lake National Wildlife Refuge.

■ c. Under Cache River National Wildlife Refuge:

■ i. Revising paragraphs A.2, A.3, A.4, A.9, and A.22.

■ ii. Adding paragraph A.24.

■ iii. Revising the introductory text of paragraph B and paragraphs B.1, B.2, B.3, B.4, B.5, and B.7.

■ iv. Revising the introductory text of paragraph C and paragraphs C.1, C.2, C.3, C.4, C.5, C.6, C.7, and C.8.

■ v. Revising paragraph D.1.

■ d. Under Felsenthal National Wildlife Refuge:

■ i. Revising paragraphs A.6, A.7, A.9, and A.17.

■ ii. Adding paragraph A.21.

■ iii. Revising paragraph B.1.

■ iv. Revising the introductory text of paragraph C and paragraphs C.1 and C.15.

■ v. Adding paragraph C.17.

■ vi. Revising paragraph D.1.

■ e. Under Overflow National Wildlife Refuge:

■ i. Revising paragraphs A.3, A.6, A.7, A.9, A.13, and A.17.

■ ii. Adding paragraph A.23.

■ iii. Revising paragraph B.1.

■ iv. Adding paragraph B.6.

■ iv. Revising the introductory text of paragraph C and paragraph C.1.

■ v. Redesignating paragraphs C.8 through C.11 as C.9 through C.12, respectively.

■ vi. Adding paragraphs C.8 and C.13.

■ f. Under Pond Creek National Wildlife Refuge:

■ i. Revising paragraphs A.4, A.5, A.7, A.15, and A.17.

■ ii. Adding paragraphs A.24, A.25, A.26, A.27, A.28, A.29, A.30, and A.31.

■ iii. Revising paragraph B.3.

■ iv. Revising the introductory text of paragraph C and paragraphs C.2, C.4, C.7, C.12, and C.17.

■ v. Adding paragraphs C.19 and C.20.

■ vi. Revising paragraph D.2.

■ g. Under Wapanocca National Wildlife Refuge:

■ i. Revising paragraph A.10.
■ ii. Adding paragraph A.12.
■ iii. Revising paragraphs B.1 and B.4.
■ iv. Redesignating paragraphs B.5 through B.9 as B.6 through B.10, respectively.
■ v. Adding paragraph B.5.
■ vi. Revising paragraphs C.1 and C.4.
■ vii. Revising the introductory text of paragraph D and paragraph D.1.
■ viii. Removing paragraph D.2.
■ ix. Redesignating paragraphs D.3 through D.8 as D.2 through D.7, respectively.

The revisions and additions read as follows:

§ 32.23 Arkansas.

* * * * *

Bald Knob National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. We prohibit migratory game bird hunting in the Farm Unit during the Quota Gun Deer Hunt.

3. With the exception of hunting for woodcock, we prohibit migratory game bird hunting after 12 p.m. (noon) during the regular State waterfowl hunting season.

4. We allow hunting for woodcock daily throughout the State seasons.

* * * * *

6. You may possess only approved nontoxic shot shells for hunting while in the field (see § 32.2(k)) in quantities of 25 or fewer. The possession limit includes shells located in/on vehicles and other personal equipment. The field possession limit for shells does not apply to goose hunting during the State Conservation Order.

* * * * *

10. Boats with the owner's name and address permanently displayed or displaying valid registration may be left on the refuge from March 1 through October 31. We prohibit the use of boats from 12 a.m. (midnight) to 4 a.m. during duck season.

* * * * *

16. Any hunter born after 1968 must carry a valid hunter education card. An adult at least age 21 must supervise hunters under age 16 and remain within sight and normal voice contact with the youth. Hunters under age 16 do not need to have a hunter education card if they are under the direct supervision (within arm's reach) of an adult (at least age 21) holder of a valid hunting license. An adult may supervise up to two youths for migratory bird and upland game hunting but may supervise only one youth for big game hunting. We will honor home State hunter education cards.

* * * * *

22. We prohibit the possession or use of alcoholic beverages while hunting (see § 32.2(j)) and open alcohol containers on refuge roads, all-terrain vehicles (ATV) trails, boat ramps, observation platforms, and parking areas.

* * * * *

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, quail, raccoon, opossum, beaver, muskrat, nutria, armadillo, and coyote on designated areas of the refuge in accordance with State regulations and subject to the following special conditions:

1. Conditions A1, A6, A11 through A13, and A17 through A23 apply.

* * * * *

3. We allow squirrel hunting September 1 through February 28 on the Mingo Creek Unit and on the Farm Unit, except for season closure on the Farm Unit during the Quota Gun Deer Hunt. We allow dogs.

4. We allow rabbit hunting in accordance with the State season on the Mingo Creek Unit and on the Farm Unit, except for season closure on the Farm Unit during the Quota Gun Deer Hunt. We allow dogs.

* * * * *

8. Hunters may take beaver, muskrat, nutria, armadillo, and coyote during any refuge hunt with those weapons legal during those hunts, subject to State seasons.

* * * * *

C. Big Game Hunting. We allow hunting of deer, feral hog, and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1, A6, A11 through A13, A17 through A23, and B8 through B12 apply.

* * * * *

6. You may take feral hog during the refuge muzzleloader or Quota Gun Deer Hunt with those weapons legal during those hunts.

* * * * *

9. Immediately record the zone 002 on your hunting license and check all harvested game according to State regulations.

* * * * *

18. We close waterfowl sanctuaries to all entry and hunting from November 15 to February 28, except for Quota Gun Deer Hunt permit holders who may hunt in the sanctuary when the season overlaps with these dates.

D. Sport Fishing. * * *

1. Conditions A11, A19 through A23, B11, and C18 apply.

* * * * *

Big Lake National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

15. We prohibit the possession or use of alcoholic beverages while hunting (see § 32.2(j)) or open alcohol containers on refuge roads, all-terrain vehicles (ATV) trails, boat ramps, parking areas, fishing piers, observation decks, and photo blinds.

* * * * *

Cache River National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. We prohibit migratory game bird hunting in the Farm Unit during the Quota Gun Deer Hunt.

3. With the exception of hunting for woodcock, we prohibit migratory game bird hunting after 12 p.m. (noon) during the regular State waterfowl hunting season.

4. We allow hunting for woodcock daily throughout the State seasons.

* * * * *

9. Boats with the owner's name and address permanently displayed or displaying valid registration may be left on the refuge from March 1 through October 31. We prohibit boats on the refuge from 12 a.m. (midnight) to 4 a.m. during duck season.

* * * * *

22. We prohibit the possession or use of alcoholic beverages while hunting (see § 32.2(j)) or open alcohol containers on refuge roads, all-terrain vehicles (ATV) trails, boat ramps, observation platforms, and parking areas.

* * * * *

24. We prohibit vehicles and ATVs to be left unattended overnight.

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, quail, raccoon, opossum, beaver, muskrat, nutria, armadillo, and coyote on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1, A6, A10 through A12, and A16 through A24 apply.

2. We allow squirrel hunting September 1 through February 28 except for refuge-wide season closure during the Quota Gun Deer Hunt. We allow dogs.

3. Rabbit season corresponds with the State season except for refuge-wide season closure during the Quota Gun Deer Hunt. We allow dogs.

4. Quail season corresponds with the State season except for refuge-wide season closure during the Quota Gun Deer Hunt. We allow dogs.

5. We allow hunting of raccoon and opossum with dogs. We require dogs for hunting of raccoon/opossum at night.

We provide annual season dates in the refuge hunting brochure/permit. We prohibit field trials and organized training events.

* * * * *

7. You may take beaver, muskrat, nutria, armadillo, and coyote during any refuge hunt with those weapons legal during those hunts.

* * * * *

C. Big Game Hunting. We allow hunting of deer, feral hog, and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1, A6, A10 through A12, A16 through A24, B6 through B9, B11, and B12 apply.

2. Archery/crossbow hunting season for deer begins on the opening day of the State season and continues throughout the State season except for refuge-wide season closure during the Quota Gun Deer Hunt. We provide annual season dates and bag limits in the refuge hunting brochure/permit.

3. Muzzleloader hunting season for deer will begin in October and will continue for a period of up to 9 days with annual season dates and bag limits provided on the hunt brochure/permit.

4. Modern gun deer hunting will begin in November and continue for a period of up to 11 days with annual season dates and bag limits provided in the refuge hunt brochure/permit.

5. You may take feral hog during refuge muzzleloader or Quota Gun Deer Hunt with those weapons legal during those hunts.

6. The fall archery/crossbow hunting season for turkey will begin on the opening day of the State season and continue throughout the State season on refuge lands that are located within the State fall archery/crossbow turkey zone except for refuge-wide season closure during the Quota Gun Deer Hunt. We do not open for fall gun hunting for turkeys.

7. The spring gun hunt for turkey will begin on the opening day of the State season and continue throughout the State season on all refuge lands located south of Interstate 40. The remainder of the refuge is closed with the exception of those refuge lands included in the combined Black Swamp Wildlife Management Area/Cache River National Wildlife Refuge quota permit hunts administered by the Arkansas Game and Fish Commission.

8. Immediately record the zone 095 on your hunting license and check all harvested game according to State regulations.

* * * * *

D. Sport Fishing. * * *

1. Conditions A10, A18, A20, A22 through A24, and B11 apply.

* * * * *

Felsenthal National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

6. No person will use the services of a guide, guide service, outfitter, club, organization, or other person who provides equipment, services, or assistance on Refuge System lands for compensation (see § 27.97 of this chapter).

7. Hunters must possess and carry a signed Refuge Public Use Regulations Brochure/Access Permit (signed brochure) while hunting.

* * * * *

9. We prohibit marking trails with tape, ribbon, paint, or any other substance or material.

* * * * *

17. You may take beaver, nutria, and coyote during any daytime refuge hunt with weapons and ammunition allowed for that hunt. There is no bag limit. You may not transport or possess live hog.

* * * * *

21. We prohibit leaving any boat on the refuge.

B. Upland Game Hunting. * * *

1. Conditions A4 through A18, A20, and A21 apply.

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer, feral hog, and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A6 through A11, A13 through A18, A20, and A21 apply.

* * * * *

15. We prohibit leaving any tree stand, ground blind, or game camera on the refuge without the owner's name and address clearly written in a conspicuous location.

* * * * *

17. We allow the taking of feral hogs on the refuge only during the Muzzleloader and Modern Gun Quota Permit Deer Hunts and with weapons and ammunition allowed for that hunt. There is no bag limit. You may not transport or possess live hog.

D. Sport Fishing. * * *

1. Conditions A6, A8, A9, A13, A16, A18, and A21 apply.

* * * * *

Overflow National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

* * * * *

3. We allow only portable blinds. Hunters must remove portable blinds, boats, and decoys from the hunt area by 1:30 p.m. each day (see § 27.93 of this chapter).

* * * * *

6. No person will use the services of a guide, guide service, outfitter, club, organization, or other person who provides equipment, services, or assistance on Refuge System lands for compensation (see § 27.97 of this chapter).

7. You must possess and carry a Refuge Public Use Regulations Brochure/Access Permit (signed brochure) while hunting.

* * * * *

9. We prohibit marking trails with tape, ribbon, paint, or any other substance or material.

* * * * *

13. We allow only all-terrain vehicles/utility-type vehicles (ATVs/UTVs) for hunting activities. We restrict ATVs/UTVs to designated times and designated trails (see § 27.31 of this chapter) marked with signs and paint. We identify those trails and the dates that they are open for use in the refuge hunt brochure. We limit ATVs/UTVs to those having an engine displacement size not exceeding 700cc. We limit ATV/UTV tires to those having a centerline lug depth not exceeding 1 inch (2.5 centimeters). You may use horses on roads and ATV/UTV trails (when open to motor vehicle and ATV/UTV traffic respectively) as a mode of transportation for on-refuge, hunting activities.

* * * * *

17. You may take beaver, nutria, and coyote during any daytime refuge hunt with weapons and ammunition legal for that hunt. There is no bag limit. We prohibit transportation or possession of live hog.

* * * * *

23. We prohibit leaving any boat on the refuge.

B. Upland Game Hunting. * * *

1. Conditions A4 through A17, A19, and A23 apply.

* * * * *

6. Overflow National Wildlife Refuge is a day-use area only, except while raccoon and opossum hunting.

C. Big Game Hunting. We allow hunting of white-tailed deer, feral hog, and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A5 through A11, A13 through A17, A19, and A23 apply.

* * * * *

8. The refuge will conduct no more than one quota permit youth spring

turkey gun hunt. Specific hunt dates and application procedures will be available at the refuge office in January. We restrict hunt participants on these hunts to those selected for a quota permit, except that one nonhunting adult age 21 or older and possessing a valid hunting license must accompany a youth hunter.

* * * * *

13. We allow the taking of feral hogs on the refuge only during the Muzzleloader Hunt and with weapons and ammunition allowed for that hunt. There is no bag limit. You may not transport or possess live hogs.

* * * * *

Pond Creek National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

4. No person will use the services of a guide, guide service, outfitter, club, organization, or other person who provides equipment, services, or assistance on Refuge System lands for compensation (see § 27.97 of this chapter).

5. You must possess and carry a Refuge Public Use Regulations Brochure/Access Permit (signed brochure) while hunting.

* * * * *

7. We prohibit marking trails with tape, ribbon, paint, or any other substance or material (see § 27.93 of this chapter).

* * * * *

15. You may take beaver, nutria, and coyote during any daytime refuge hunt with weapons and ammunition allowed for that hunt. We prohibit the use of dogs to take these species. There is no bag limit. You may not transport or possess live hog.

* * * * *

17. We allow the use of retriever dogs during the refuge waterfowl season.

* * * * *

24. We prohibit camping on the refuge while hunting off of the refuge.

25. We prohibit fires outside of campgrounds.

26. We prohibit taking or possessing turtles or mollusks (see § 27.51 of this chapter).

27. We prohibit possession or use of fireworks.

28. We prohibit geocaching.

29. We prohibit searching for or removing any object of antiquity including arrowheads, pottery, or other artifacts.

30. We prohibit firearms, including State-permitted concealed carry handguns, in all refuge buildings.

31. We prohibit horses and mules off the open all-terrain vehicle (ATV)/utility-type vehicles (UTV) trails and main gravel roads.

B. Upland Game Hunting. * * *

3. Conditions A4 through A16, A18, and A24 through A31 apply.

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer, feral hog, and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

2. Conditions A4 through A9, A11 through A16, A18, and A24 through A31 apply.

* * * * *

4. We allow muzzleloader deer hunting for the first 5 days of the early State muzzleloader season for this deer management zone. The bag limit for the refuge muzzleloader hunt is two deer, with no more than one buck.

* * * * *

7. The quota Gun Deer Hunt bag limit is two deer, with no more than one buck (one buck and one doe). Exception: Youth hunters participating in the refuge youth deer hunt and hunters participating in the refuge mobility-impaired hunt may harvest the legal State bag limit without antler restrictions.

* * * * *

12. You may use only portable deer stands erected no sooner than 2 days before the opening of the State deer season, and you must remove them no later than January 31 each year (see § 27.93 of this chapter).

* * * * *

17. We prohibit conducting or participating in deer drives.

* * * * *

19. We prohibit hunting from an area where a shooting lane has been cut.

20. We allow the taking of feral hogs on the refuge only during the Muzzleloader and Modern Gun Quota Permit Deer Hunts and with weapons and ammunition allowed for that hunt. There is no bag limit. You may not transport or possess live hogs.

D. Sport Fishing. * * *

2. Conditions A4 through A16 and A18 through A31 apply.

* * * * *

Wapanocca National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

10. We prohibit the possession or use of alcoholic beverages while hunting (see § 32.2(j)) and open alcohol containers on refuge roads, all-terrain vehicle (ATV) trails, boat ramps, parking areas, fishing piers, observation decks, and photo blinds.

* * * * *

12. Roundpond and Pigmon Units are closed to all migratory bird hunting.

B. Upland Game Hunting. * * *

1. Conditions A1 through A12 apply.

* * * * *

4. You may take nutria, beaver, and coyote during any refuge hunt with those weapons legal during those hunts, subject to State seasons.

5. You may take feral hog only during the refuge Quota Gun Deer Hunt.

* * * * *

C. Big Game Hunting. * * *

1. Conditions A1 through A12, B4, B5, and B7 through B10 apply.

* * * * *

4. Immediately record the deer zone 640 on the hunter's license and check deer according to State regulations.

* * * * *

D. Sport Fishing. We allow fishing on the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A3, A5, A9 through A11, B7, and B8 apply. We allow fishing from March 1 through October 31 from ½ hour before legal sunrise to ½ hour after legal sunset.

* * * * *

■ 6. Amend § 32.24 by:

■ a. Under Clear Lake National Wildlife Refuge:

■ i. Revising paragraph A.

■ ii. Revising the introductory text of paragraph C and paragraph C.2.

■ iii. Revising paragraph D.

■ b. Revising paragraphs A and B under Colusa National Wildlife Refuge.

■ c. Revising paragraphs A, B.1, and B.2 under Delevan National Wildlife Refuge.

■ d. Revising paragraphs A and B under Lower Klamath National Wildlife Refuge.

■ e. Revising paragraphs A, B.1, and B.2 under Sacramento National Wildlife Refuge.

■ f. Revising paragraphs A, B.2, C, D.1, and D.2 under Sacramento River National Wildlife Refuge.

■ g. Revising paragraphs A and B under Sutter National Wildlife Refuge.

■ h. Revising paragraphs A and B under Tule Lake National Wildlife Refuge.

The revisions read as follows:

§ 32.24 California.

* * * * *

Clear Lake National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of geese, ducks, coots, moorhens, and snipe on designated areas of the refuge in accordance with State laws and regulations and subject to the following conditions:

1. We allow waterfowl hunting on designated areas of the refuge 7 days per week during the State regulated season.

2. You may hunt from the shoreline only.

3. No boats of any kind may be used while conducting waterfowl hunting activities.

* * * * *

C. Big Game Hunting. We allow hunting of pronghorn antelope only on the controlled ''U'' Unit of the refuge in accordance with State laws and regulations and subject to the following conditions:

* * * * *

2. We allow access to the unit only through the designated entrance on Clear Lake Road (also known as County Road 136), 4 miles east of the southwest refuge identification sign.

D. Sport Fishing. [Reserved]

Colusa National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, moorhen, and snipe on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. You must obtain a State of California Department of Fish and Wildlife entry permit from the check station prior to entering the hunt area.

2. You must return the State of California Department of Fish and Wildlife entry permit and leave the refuge no later than 1½ hours after legal sunset unless participating in overnight stay in accordance with A13.

3. Youth hunters must be accompanied by an adult (18 years old or older) at all times while hunting.

4. Access to the hunt area is by foot traffic only. We prohibit bicycles and other conveyances. Mobility-impaired hunters should consult with the refuge manager for allowed conveyances.

5. You may enter or exit only at designated locations.

6. Vehicles may stop only at designated parking areas. We prohibit the dropping of passengers or equipment, or stopping between designated parking areas.

7. The firearms used for hunting must remain unloaded until you are in designated free-roam areas or assigned pond/blind areas.

8. Hunters may use shotguns only. No shotguns larger than 12 gauge (see § 20.21(a) of this chapter).

9. You may not possess more than 25 shotgun shells while in the field.

10. You may possess only approved nontoxic shot while in the field (see § 32.2(k)). You may not possess shot size larger than BB, except steel ''T'' (0.20 (0.5 centimeter) diameter).

11. We prohibit snipe hunting in the assigned pond areas.

12. No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

13. We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

14. You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

B. Upland Game Hunting. We allow hunting of pheasant only in the free-roam areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We prohibit pheasant hunting in the assigned pond area except during a special 1-day-only pheasant hunt on the first Monday after the opening of the State pheasant hunting season.

2. Conditions A1 through A14 apply.

* * * * *

Delevan National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, moorhen, and snipe on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. You must obtain a State of California Department of Fish and Wildlife entry permit from the check station prior to entering the hunt area.

2. You must return the State of California Department of Fish and Wildlife entry permit and leave the refuge no later than 1½ hours after legal sunset unless participating in overnight stay in accordance with A14.

3. Junior hunters must be accompanied by an adult (18 years old or older) at all times while hunting.

4. Access to the hunt area is by foot traffic only. We prohibit bicycles and other conveyances. Mobility-impaired hunters should consult with the refuge manager for allowed conveyances.

5. You may enter or exit only at designated locations.

6. Vehicles may stop only at designated parking areas. We prohibit the dropping of passengers or equipment, or stopping between designated parking areas.

7. The firearms used for hunting must remain unloaded until you are in designated free-roam areas or assigned pond/blind areas.

8. Hunters may use shotguns only. No shotguns larger than 12 gauge.

9. Hunters may possess no more than 25 shotgun shells while in the field.

10. Hunters may possess only approved nontoxic shot while in the field (see § 32.2(k)). You may not possess shot size larger than BB, except steel ''T'' (0.20 inch (0.5 centimeter) diameter).

11. We restrict hunters assigned to the spaced blind area to within 100 feet (30.5 meters) of their assigned hunt site except for retrieving downed birds, placing decoys, or traveling to and from the area.

12. We prohibit snipe hunting in the assigned pond areas.

13. No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

14. We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

15. You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

B. Upland Game Hunting. * * *

1. We prohibit pheasant hunting in the assigned pond/spaced blind area except during a special 1-day-only pheasant hunt on the first Monday after the opening of the State pheasant hunting season.

2. Conditions A4 through A15 apply.

* * * * *

Lower Klamath National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of geese, ducks, coots, moorhens, and snipe on designated areas of the refuge in accordance with State laws and regulations and subject to the following conditions:

1. In the controlled waterfowl hunting area, we require a Refuge Recreation Pass (passholder name/expiration date) for all hunters age 16 or older. An adult with a valid Recreation Pass (passholder name/expiration date) must accompany hunters younger than age 16 who are hunting in the controlled area.

2. We require advance reservations for the first 2 days of the hunting season. Reservations are obtained through the Waterfowl Lottery each year.

3. Entry hours begin 1½ hours prior to State regulated shoot time unless otherwise posted.

4. Shooting hours end at 1:00 p.m. on all California portions of the refuge with the following exceptions:

a. The refuge manager may designate up to 6 afternoon special youth, ladies, or disabled hunter waterfowl hunts per season; and

b. The refuge manager may designate up to 3 days per week of afternoon waterfowl hunting for the general public after December 1.

5. The firearms used for hunting must be unloaded while in posted retrieving

zones and while on hunter access routes open to motor vehicles.

6. You may not set decoys in retrieving zones.

7. We prohibit air-thrust and inboard waterthrust boats.

8. You may possess only approved nontoxic shot while in the field (see § 32.2(k)).

9. You may use only nonmotorized boats and boats with electric motors on designated motorless units from the start of the hunting season through November 30. You may use motorized boats on designated motorless units from December 1 through the end of hunting season.

10. Pit style hunting blinds located in the Stearns units and unit 9D are first-come, first-served basis. We require you to hunt within a 200-foot (61-meter) radius of the blind.

B. Upland Game Hunting. We allow hunting of pheasant on designated areas of the refuge in accordance with State laws and regulations and subject to the following conditions:

1. You may possess only approved nontoxic shot while in the field (see § 32.2(k)).

2. We require you to wear an outer garment above the waist that is at least 50 percent blaze orange and visible from both front and back. Outer garments may consist of hat or cap, vest, jacket, shirt or coat.

3. The firearms used for hunting must be unloaded while in posted retrieving zones and while on hunter access routes open to motor vehicles.

* * * * *

Sacramento National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, moorhen, and snipe on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. You must obtain a State of California Department of Fish and Wildlife entry permit from the check station prior to entering the hunt area.

2. You must return the State of California Department of Fish and Wildlife entry permit and vacate refuge no later than 1½ hours after legal sunset unless participating in overnight stay in accordance with A14.

3. Junior hunters must be accompanied by an adult (18 years old or older) at all times while hunting.

4. Access to the hunt area is by foot traffic only. We prohibit bicycles and other conveyances. Mobility-impaired hunters should consult with the refuge manager for allowed conveyances.

5. You may enter or exit only at designated locations.

6. Vehicles may stop only at designated parking areas. We prohibit the dropping of passengers or equipment, or stopping between designated parking areas.

7. The firearms used for hunting must remain unloaded until you are in designated free-roam areas or assigned pond/blind areas.

8. Hunters may use shotguns only. No shotguns larger than 12 gauge.

9. Hunters may possess no more than 25 shotgun shells while in the field.

10. Hunters may possess only approved nontoxic shot while in the field (see § 32.2(k)). You may not possess shot size larger than BB, except steel ''T'' (0.20 inch (0.5 centimeter) diameter).

11. We restrict hunters assigned to the spaced blind area to within 100 feet (30.5 meters) of their assigned hunt site except for retrieving downed birds, placing decoys, or traveling to and from the area.

12. We prohibit snipe hunting in the assigned pond areas.

13. No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

14. We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

15. You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

B. Upland Game Hunting. * * *

1. We prohibit pheasant hunting in the assigned pond/spaced blind area except during a special 1-day-only pheasant hunt on the first Monday after the opening of the State pheasant hunting season.

2. Conditions A4 through A15 apply.

* * * * *

Sacramento River National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, moorhen, dove, and snipe on designated areas of the refuge in accordance with State regulations subject to the following conditions:

1. Access to the hunt area on all units open to public hunting is by boat only, except on designated units, which are accessible by foot traffic or boat. We prohibit bicycles or other conveyances. Mobility-impaired hunters should consult with the refuge manager for allowed conveyances. Waterfowl hunting is not allowed on the Mooney and Codora Units.

2. On the Codora Unit, hunting is not allowed except for junior hunters (17 years old or younger) on weekends only. Junior hunters must possess a valid junior hunting license and be accompanied by a nonhunting adult (18 years or older).

3. We prohibit possession of alcohol.

4. We allow only shotgun hunting.

5. The firearms used for hunting must be unloaded (see § 27.42(b) of this chapter) while transporting them between parking areas and hunting areas. ''Unloaded'' means that no ammunition is in the chamber or magazine of the firearm.

6. You may possess only approved nontoxic shot while in the field (see § 32.2(k)).

7. We prohibit hunting within 50 feet (15.2 meters) of any boundary adjacent to private property.

8. We prohibit hunting within 150 yards (137.2 meters) of any occupied dwelling, house, residence, or other building or any barn or other outbuilding used in connection therewith.

9. We prohibit fires on the refuge, except we allow portable gas stoves on gravel bars (see § 27.95(a) of this chapter).

10. We open the refuge for day-use access from 2 hours before legal sunrise until 1½ hours after legal sunset. We allow access during other hours on gravel bars only.

11. We require dogs to be kept on a leash, except for hunting dogs engaged in authorized hunting activities, and under the immediate control of a licensed hunter (see § 26.21(b) of this chapter).

12. We prohibit permanent blinds. You must remove all personal property, including decoys and boats, by 1½ hours after legal sunset (see §§ 27.93 and 27.94 of this chapter).

13. We prohibit cutting or removal of vegetation for blind construction or for making trails (see § 27.51).

14. We prohibit commercial guiding (see § 27.97 of this chapter).

B. Upland Game Hunting. * * *

2. Conditions A1 through A3 and A5 through A14 apply.

C. Big Game Hunting. We allow hunting of black-tailed deer and feral hogs on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A3, A5, A7 through A14, and B1 apply.

2. You may hunt feral hogs from September 1 through March 15.

3. We prohibit dogs while hunting feral hogs.

4. We prohibit construction or use of permanent blinds, platforms, ladders, or screw-in foot pegs.

5. You must remove all personal property, including stands or hunting

blinds, from the refuge by 1½ hour after legal sunset (see §§ 27.93 and 27.94 of this chapter).

6. You may only use shotguns, firing single shotgun slugs, and archery equipment for big game hunting only. You may only possess non-lead ammunition while in the field (consistent with State Law AB711 related to Wildlife Areas ammunition restrictions).

D. Sport Fishing. * * *

1. Conditions A3 and A9 through A14 apply.

2. On Packer Lake and Drumheller North, due to primitive access, we only allow boats up to 14 feet (4.3 meters) and canoes. Electric motors only.

* * * * *

Sutter National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, moorhen, and snipe on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Visitors must obtain a State of California Department of Fish and Wildlife entry permit from the check station prior to entering the hunt area.

2. Hunters must return the State of California Department of Fish and Wildlife entry permit and vacate refuge no later than 1½ hours after legal sunset unless participating in overnight stay in accordance with A13.

3. Junior hunters must be accompanied by an adult (18 years old) at all times while hunting.

4. Access to the hunt area is by foot traffic only. We prohibit bicycles and other conveyances. Mobility-impaired hunters should consult with the refuge manager for allowed conveyances.

5. You may enter or exit only at designated locations.

6. Vehicles may stop only at designated parking areas. We prohibit the dropping of passengers or equipment, or stopping between designated parking areas.

7. The firearms used for hunting must remain unloaded until you are in designated free-roam areas or assigned pond/blind areas.

8. Hunters may use shotguns only. No shotguns larger than 12 gauge.

9. Hunters may possess no more than 25 shotgun shells while in the field.

10. Hunters may possess only approved nontoxic shot while in the field (see § 32.2(k)). You may not possess shot size larger than BB, except steel ''T'' (0.20 inch (0.5 centimeter) diameter).

11. We prohibit snipe hunting in the assigned pond areas.

12. No person may build or maintain fires, except in portable gas stoves in designated parking/overnight stay areas.

13. We only allow overnight stays in vehicles, motor homes, and trailers at the check station parking areas on Tuesdays, Fridays, and Saturdays (closed on Federal holidays).

14. You must restrain dogs on a leash within all designated parking areas and vehicle access roads.

B. Upland Game Hunting. We only allow hunting of pheasant in the free-roam areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We prohibit pheasant hunting in the assigned pond areas.

2. Conditions A1 through A14 apply.

* * * * *

Tule Lake National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of geese, ducks, coots, moorhens, and snipe on designated areas of the refuge in accordance with State laws and regulations and subject to the following conditions:

1. In the controlled waterfowl hunting area, we require a Refuge Recreation Pass (passholder name/expiration date) for all hunters age 16 or older. An adult with a valid Recreation Pass (passholder name/expiration date) must accompany hunters younger than age 16 who are hunting in the controlled area.

2. We require advance reservations for the first 2 days of the hunting season. Reservations are obtained through the Waterfowl Lottery each year.

3. Entry hours begin 1½ hours prior to State regulated shoot time unless otherwise posted.

4. Shooting hours end at 1:00 p.m. on all portions of the refuge with the following exceptions:

a. The refuge manager may designate up to six afternoon special youth, ladies, or disabled hunter waterfowl hunts per season; and

b. The refuge manager may designate up to 3 days per week of afternoon waterfowl hunting for the general public after December 1.

5. The firearms used for hunting must be unloaded when you are more than 200 feet (61 meters) from the established blind stakes. You select blind sites by lottery at the beginning of each hunt day. You may shoot only from within your assigned blind site.

6. The firearms used for hunting must be unloaded while in posted retrieving zones and while on hunter access routes open to motor vehicles.

7. We prohibit the setting of decoys in retrieving zones.

8. We prohibit air-thrust and inboard water-thrust boats.

9. You may possess only approved nontoxic shot while in the field (see § 32.2(k)).

B. Upland Game Hunting. We allow hunting of pheasant on designated areas of the refuge in accordance with State laws and regulations and subject to the following conditions:

1. You may possess only approved nontoxic shot while in the field (see § 32.2(k)).

2. We require you to wear an outer garment above the waist that is at least 50 percent blaze orange and visible from both front and back. Outer garments may consist of hat or cap, vest, jacket, shirt or coat.

3. The firearms used for hunting must be unloaded while in posted retrieving zones and while on hunter access routes open to motor vehicles.

* * * * *

■ 7. Amend § 32.27 by revising paragraphs A, B, and C under Prime Hook National Wildlife Refuge to read as follows:

§ 32.27 Delaware.

* * * * *

Prime Hook National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow the hunting of waterfowl, coot, mourning dove, snipe, and woodcock on designated areas of the refuge during designated seasons in accordance with State regulations and subject to the following conditions:

1. Only hunters aged 16 years and older may apply for or obtain a lottery hunt area permit (Waterfowl Lottery Application; FWS Form 3–2355).

2. You must have in your possession a signed and current refuge hunt permit (signed brochure) and government-issued picture identification on the refuge. All permits are non-transferable. Hunting brochures containing hunting application procedures, permits, seasons, scouting times, methods of hunting, maps depicting areas open to hunting, and the terms and conditions under which we issue hunting permits are available at the refuge office and on the refuge's Web site.

3. Hunting in violation of any Delaware State law is a violation of refuge hunting regulations.

4. We prohibit cutting or damaging vegetation for any purpose. We prohibit the use of natural vegetation for camouflaging a blind (see § 27.51 of this chapter).

5. Hunting blinds, stands, steps and equipment must be portable, and you must remove them at the end of each day.

6. We prohibit practice or target shooting.

7. We prohibit all public entry in designated safety zones.

8. You may not be on the refuge any earlier than 2 hours before the legal morning shooting time.

9. We require all boaters to operate their craft and possess all safety equipment in accordance with Delaware State and U.S. Coast Guard regulations during refuge hunts (see § 27.32 of this chapter). The maximum horsepower (HP) allowed for boat motors is 30 HP. The Slaughter Canal and Headquarters' Canal are slow, no-wake zones. Designated launching sites must be used to launch boats. We prohibit the use of air-thrust and inboard water-thrust boats on all waters within the refuge boundaries.

10. We allow only three individuals per blind site in the lottery hunting areas.

11. We prohibit motor vehicles off of designated routes and parking areas.

12. We allow the use of dogs to assist in hunting and retrieval of harvested game in accordance with State law. We prohibit dog training (see § 27.91 of this chapter).

13. Only nonambulatory hunters may hunt in the Island Farm Unit, where we have provided nonambulatory hunt blinds to accommodate hunters with this need. All disabled hunters must obtain an Interagency Access Pass to receive a hunting permit for the disabled hunting areas. We require wheelchair hunters to have an assistant in the disabled hunting areas and to hunt from a government-provided blind.

14. We allow up to two individuals assisting a disabled hunter to hunt waterfowl with the disabled hunter.

15. Waterfowl hunters must stop hunting at 3 p.m. and leave the refuge by 4 p.m. on hunting days except when snow goose hunting during a snow goose conservation order.

16. We allow the use and possession of only nontoxic shot for hunting (see § 32.2(k)).

B. Upland Game Hunting. We allow the hunting of rabbit, quail, pheasant, and red fox on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We prohibit the hunting of squirrel.

2. We allow red fox hunting only while concurrently hunting deer in areas open to deer hunting. We prohibit hunting by chase. We prohibit hunting with rimfire or centerfire rifles.

3. We allow the use and possession of only nontoxic shot for hunting (see § 32.2(k)), except that while hunting red fox concurrently with deer we allow the use of shot approved for deer hunting in accordance with State and refuge regulations.

4. Hunters must leave the hunting area ½ hour after the legal evening shooting time.

5. Conditions A2 through A13 apply.

C. Big Game Hunting. We allow the hunting of white-tailed deer and turkey on designated areas of the refuge during designated seasons in accordance with State regulations and subject to the following conditions:

1. Only hunters aged 16 years and older may apply for or obtain a lottery hunt area permit (Quota Deer Hunt Application, FWS Form 3–2354; Big/Upland Game Hunt Application, FWS Form 3–2356).

2. We prohibit access by boat from Slaughter Creek on Cods Road.

3. We prohibit the driving or pushing of deer by any means.

4. All deer hunters must be out of the hunting areas 1½ hours after the legal evening shooting time. All turkey hunters must be out of the hunting areas one hour after the legal closing time for turkey hunting.

5. We prohibit the use or possession of buckshot while hunting. Only slugs may be used for hunting deer.

6. We prohibit assistants for wheelchair hunters from hunting in the disabled hunting area.

7. Any time the State hunting regulations require that hunters display hunter orange, the material must be solid-colored. We prohibit the use of hunter-orange camouflage materials to meet State minimum hunter orange requirements.

8. We allow the use and possession of only nontoxic shot for hunting turkey (see § 32.2(k)).

9. Conditions A2 through A12, and A14 apply.

* * * * *

■ 8. Amend § 32.28 by:

■ a. Under Arthur R. Marshall Loxahatchee National Wildlife Refuge:

■ i. Removing paragraph C.12.

■ ii. Redesignating paragraphs C.4 through C.11 as C.5 through C.12, respectively.

■ iii. Adding paragraph C.4.

■ iv. Revising newly designated paragraphs C.9 and C.10.

■ v. Adding paragraphs C.13, C.14, and C.15.

■ vi. Revising paragraph D.3.

■ vii. Removing paragraph D.9.

■ viii. Redesignating paragraphs D.6 through D.8 as D.8 through D.10, respectively.

■ ix. Adding paragraphs D.6, D.7, and D.11.

■ b. Revising the entry for Chassahowitzka National Wildlife Refuge.

■ c. Revising paragraph D under Egmont Key National Wildlife Refuge.

■ d. Under Hobe Sound National Wildlife Refuge:

■ i. Revising paragraph D.3.

■ ii. Removing paragraph D.7.

■ iii. Redesignating paragraphs D.4 through D.6 as D.5 through D.7, respectively.

■ iv. Adding paragraph D.4.

■ v. Revising newly designated paragraph D.7.

■ e. Revising paragraphs D.10, D.11, D.13, D.16, and D.18 under J.N. ''Ding'' Darling National Wildlife Refuge.

■ f. Under Lower Suwannee National Wildlife Refuge:

■ i. Revising paragraphs A.1, A.2, A.4, and A.13.

■ ii. Revising paragraphs B.2, B.3, and B.4.

■ iii. Revising paragraph C.

■ iv. Removing paragraph D.4.

■ g. Under Merritt Island National Wildlife Refuge:

■ i. Redesignating paragraphs D.13 through D.17 as D.14 through D.18, respectively.

■ ii. Adding paragraph D.13.

■ h. Revising paragraph D under Pinellas National Wildlife Refuge.

■ i. Revising paragraphs C.2 and C.8 under St. Marks National Wildlife Refuge.

The additions and revisions read as follows:

§ 32.28 Florida.

* * * * *

Arthur R. Marshall Loxahatchee National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

4. We prohibit the taking of any other plants or wildlife (see § 27.21 of this chapter).

* * * * *

9. You may take alligators using hand-held snares, harpoons, gigs, snatch hooks, artificial lures, manually operated spears, spear guns, and crossbows. We prohibit the taking of alligators using baited hooks, baited wooden pegs, or firearms. We allow the use of bang sticks (a hand-held pole with a pistol or shotgun cartridge on the end in a very short barrel) with nontoxic ammunition only for taking alligators attached to a restraining line (see § 32.2(k)). Once an alligator is captured, it must be killed immediately. We prohibit catch and release of alligators. Once the alligator is dead, you must lock a CITES tag through the skin of the carcass within 6 inches (15.2 centimeters) of the tip of the tail. The tag must remain attached to the alligator at all times.

10. Hunters must complete a Big Game Harvest Report (FWS Form 3-2359) and place it in an entrance fee canister each day prior to exiting the refuge. A Florida Fish and Wildlife Conservation Commission (FWC) Alligator Harvest Report Form (FWC Form 1001AT, supplied with your FWC permit) must be completed by the permit holder within 24 hours of taking each alligator and prior to the transfer to a permitted alligator processing facility. A copy of the FWC Alligator Harvest Report Form must accompany the alligator carcass until processing. An online version of the form can be found at *MyFWC.com/alligator*.

* * * * *

13. We allow only one vessel per hunting group or party.

14. Conditions A14 through A18 apply.

15. For emergencies or to report violations, contact law enforcement personnel at 1-800-307-5789. Law enforcement officers may be monitoring VHF Channel 16.

D. Sport Fishing. * * *

3. We allow fishing south of a line of latitude of 26.27.130 and in the rim canal in the rest of the refuge. We prohibit fishing in those areas posted as closed to fishing or to the public.

* * * * *

6. We allow commercial guiding by Special Use Permit only (Commercial Activities—Special Use Permit Application, FWS Form 3-1383-C). Contact the Refuge Office at 561-735-6029 for more information.

7. We allow 12 fishing tournaments a year by Special Use Permit only (General Activities—Special Use Permit Application, FWS Form 3-1383-G). Contact the Refuge Office at 561-735-6029 for more information.

* * * * *

11. For emergencies or to report violations, contact law enforcement personnel at 1-800-307-5789. Law enforcement officers may be monitoring VHF Channel 16.

* * * * *

Chassahowitzka National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow migratory game bird hunting in those areas designated as open to hunting in accordance with applicable Federal and State laws, and subject to the following conditions:

1. In Citrus County:

i. You may take only ducks and coots.

ii. We allow waterfowl hunting on Wednesdays, Saturdays, and Sundays during those seasons established by the State of Florida; however, we may close or alter hunts in cases of emergency situations.

iii. State bag limits apply.

iv. We allow the use of dogs in accordance with State regulations to retrieve taken waterfowl.

v. We allow airboats only on the designated airboat route with a refuge Special Use Permit (General Activities Special Use Permit Application, FWS Form 3-1383-G) issued by the U.S. Fish and Wildlife Service. We prohibit the use of airboats on vegetation. Airboats must be in compliance with State and county regulations (§ 27.32 of this chapter).

vi. We require hunters to possess and carry a signed, no-cost refuge hunting permit (signed brochure).

vii. In addition to State hunter education requirements, an adult (parent or guardian) age 21 or older must supervise and remain within sight and normal voice contact of any youth hunter age 15 or younger. An adult may supervise no more than two (2) youths.

viii. We prohibit hunting within 100 yards (91.4 meters) of any residence or on navigable waterways of Chassahowitzka River, Seven Cabbage Cut-off, and Mason Creek.

ix. We allow temporary blinds and decoys, but require all blinds and decoys to be removed from the refuge daily.

x. We prohibit the use of bait, salt, oil, or ingestible attractant. We prohibit taking or attempting to take any game animal with the aid of live decoys, recorded game calls or sounds, set guns, artificial light, net, trap, snare, drug, or poison (see §§ 20.21 of this chapter and § 32.2(h)).

xi. We prohibit taking or herding of wildlife from any vessel that is under power, until power and movement have ceased (§ 20.21(e) of this chapter).

xii. We prohibit target practice.

xiii. You may use only steel or approved nontoxic shot for hunting migratory game birds (see § 32.2(k)). We prohibit possession of lead or other toxic shot (§ 20.21(j) of this chapter).

xiv. Persons possessing, transporting, or carrying firearms on the refuge must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

xv. We prohibit the marking of trees, using flagging tape, reflective tacks, and other similar marking devices; and the cutting/trimming of trees. We prohibit driving or screwing any metal object into a tree or hunting from a tree in which a metal object has been driven or screwed to support a hunter (see 32.2(i)).

xvi. We prohibit commercial activities, including guiding or participating in a guided hunts (§ 27.97 of this chapter).

xvii. We prohibit fires.

xviii. We prohibit the use of all-terrain vehicles (ATVs)/tracked motorized vehicles.

2. In Hernando County:

i. All hunters in Hernando County must comply with the Chassahowitzka Wildlife Management Area regulations, including quota hunt requirements, in addition to refuge rules.

ii. Conditions A.1.iii, A.1.iv, A.1.vi, A.1.vii, and A.1.ix through A.1.xviii apply.

iii. We allow hunting of rails, common moorhen, mourning dove, white winged dove, snipe, and woodcock during seasons established by the Commission for these species and listed in the Chassahowitzka Wildlife Management Area regulations. We allow hunting of geese, duck, and coot on Wednesdays, Saturdays, and Sundays; however, hunts may be closed or altered in cases of emergency situations by the U.S. Fish and Wildlife Service.

iv. You may use airboats on all navigable waterways within Hernando County with a refuge Special Use Permit (General Activities Special Use Permit Application, FWS Form 3-1383-G) issued the U.S. Fish and Wildlife Service. We prohibit the use of airboats on vegetation. Airboats must be in compliance with State and county regulations.

v. We prohibit hunting within 100 yards (91.4 meters) of any residence.

B. Upland Game Hunting.

1. [Reserved]

2. In Hernando County, we allow hunting of quail, squirrel, and rabbit in accordance with Chassahowitzka Wildlife Management Area regulations, and subject to the following conditions:

i. Conditions A.1.iii, A.1.v through A.1.xii, and A.1.xiv through A.1.xviii, A.2.i, A.2.iv, and A.2.v apply.

ii. We prohibit the use of traps or snares to take game.

iii. You must report harvested game at the State Wildlife Management Area Check Station.

iv. We prohibit hunting of raccoon, bobcat, and otter.

v. You may take feral hog, opossum, armadillo, beaver, coyote, skunk, and nutria as incidental species with the equipment legal for use during the season.

C. Big Game Hunting.

1. [Reserved]

2. In Hernando County, we allow hunting of whitetail deer and turkey, in

accordance with Chassahowitzka Wildlife Management Area regulations, and subject to the following conditions:

i. Conditions B.2.i through B.2.iii and B.2.v apply.

ii. We prohibit the use of dogs to take big game and feral hogs.

D. Sport Fishing.

1. In Citrus County, we allow sport fishing on the refuge year-round in areas designated as open in the refuge hunting and fishing brochure, in compliance with State fishing regulations and license requirements, and subject to the following conditions:

i. Conditions A.1.v, A.1.xiv, A.1.xv, A.1.xvii, and A.1 xviii apply.

ii. We allow fishing 24 hours per day, year-round, except in areas posted closed.

iii. All fish must remain in a whole condition while being transported from the refuge.

iv. We prohibit harvesting and possession of horseshoe crabs, turtles, and snakes.

v. We prohibit the taking of frogs.

vi. We permit commercial activities, including guiding, with a Special Use Permit (Commercial Activities Special Use Permit Application, FWS Form 3–1383–C). You must apply for the permit.

2. In Hernando County, we allow sport fishing on the refuge year-round in areas designated as open in the refuge hunting and fishing brochure, in compliance with State fishing regulations and license requirements, and subject to the following conditions: Conditions D.1.i through D.1.vi apply.

Egmont Key National Wildlife Refuge

* * * * *

D. Sport Fishing. We allow sport fishing on the refuge year-round in areas designated as open and in accordance with State fishing regulations and subject to the following conditions:

1. We allow fishing from designated refuge beaches during open hours.

2. Anglers may only use two poles per angler and must attend both poles at all times.

* * * * *

Hobe Sound National Wildlife Refuge

* * * * *

D. Sport Fishing. * * *

* * * * *

3. We prohibit the disturbance or taking of sea turtles, their eggs, and their nests. We prohibit the taking of any wildlife, plants, and cultural artifacts (see § 27.21 of this chapter).

4. We prohibit camping, fires, pets, and the use of metal detectors.

* * * * *

7. We prohibit motorized vehicles of any type on the beach, fire roads, undesignated routes, and areas posted as closed (see § 27.31 of this chapter).

J.N. ''Ding'' Darling National Wildlife Refuge

* * * * *

D. Sport Fishing. * * *

10. We allow you to launch canoes and kayaks anywhere on the right (north) side of Wildlife Drive. We prohibit launching motorized vessels over 14 feet (4.2 meters) in length from Wildlife Drive. We allow launching of motorized vessels only 14 feet (4.2 meters) or less in length from designated site #2.

11. We allow public access to Wildlife Drive and Indigo Trail, except on Fridays, when we close Wildlife Drive to all public access. See hours posted at the front gate or on the refuge Web site (*http://www.fws.gov/dingdarling/*), or call 239–472–1100.

* * * * *

13. We prohibit all public entry into the impoundments on the left (south) side of Wildlife Drive.

* * * * *

16. We prohibit the use of cast nets from the left (south) side of Wildlife Drive or any structure affixed to Wildlife Drive.

* * * * *

18. We prohibit the use of bows and spears from Wildlife Drive or any trail or structure affixed to Wildlife Drive.

* * * * *

Lower Suwannee National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. We require all hunters, ages 16 or older, to purchase and possess a general refuge hunting permit (name/address/phone number) and a State of Florida Hunting License to hunt during all refuge hunts, unless otherwise exempt. You can purchase a hunting permit (name/address.phone number) through the Florida Fish and Wildlife Conservation Commission licensing Web site, county tax office, or another outlet that sells State licenses. We do not require youth hunters age 15 and younger to possess a general refuge hunt permit (name/address/phone number). We do not require State Wildlife Management Area stamps. Unless otherwise exempt, we require hunters to have appropriate archery, muzzleloader, deer, and turkey stamps/permits. Unless exempt, we require waterfowl hunters to have appropriate State and Federal waterfowl stamps.

2. We designate open and closed refuge hunting areas on the map in the refuge hunt brochure, which the hunter must possess and carry. The refuge can designate temporary closed hunting areas at the management's discretion for refuge management activities (prescribed burns, forestry, habitat restoration, wildlife management).

* * * * *

4. We prohibit the use of all-terrain vehicles (ATVs) and utility-type vehicles (UTVs) (see § 27.31(f) of this chapter).

* * * * *

13. We prohibit flagging, reflective markers, paint, litter, or pins for marking in any manner on refuge property, with the exception of the following: Clothes type pins or clips with reflective or colored markings can be used for the temporary marking of vegetation in order to identify a route of travel to or from a tree stand. You must remove these pins at the end of deer season (see §§ 27.93 and 27.94 of this chapter). Each clothes type pin or clip must contain both the name and hunting license number of the hunter.

* * * * *

B. Upland Game Hunting. * * *

2. We will print dates for the refuge upland game (small game) and raccoon/opossum hunting seasons in the annual refuge hunt brochure. Contact the refuge office for specific dates.

3. You may use only .17, .22, and .22 magnum caliber rimfire rifle firearms (see § 27.42 of this chapter), bows, or shotguns with nontoxic shot no larger than #4 birdshot, or muzzleloader or.40 caliber or less when hunting (see § 32.2(k)).

4. We allow night hunting in accordance with State regulations for raccoon and opossum during nighttime hours from legal sunset until legal sunrise.

C. Big Game Hunting. We allow hunting of big game on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A18 apply.

2. During the refuge archery season, hunters may only use archery equipment in accordance with State archery regulations.

3. During the refuge muzzleloader season, hunters may only use muzzleloading firearms (see § 27.42 of this chapter) in accordance with State muzzleloader regulations.

4. We prohibit driving or screwing any metal object into a tree or hunting from a tree in which a metal object has been driven or screwed to support a hunter (see § 32.2(i)).

5. Temporary tree stands may be left on the refuge starting one week before archery season and must be removed by

the last day of hog season. All tree stands left on the refuge within the hunt season must display the hunters name and hunting license number legibly written on or attached to the stand. We may confiscate and dispose of tree stands not in compliance (see §§ 27.93 and 27.94 of this chapter). You may use tree stands during small game season, but you must remove them by the last day of this season (see § 27.93 of this chapter).

6. All hunters (including all persons accompanying hunters) must wear a minimum of 500 square inches (3,250 square centimeters) of fluorescent orange visible above the waistline while hunting during all refuge deer gun hunts.

7. We prohibit the use of organized drives for taking or attempting to take game.

8. We will publish the dates of the refuge general gun season in the annual refuge hunt brochure. Contact the refuge office for specific dates. Consult the Florida State Zone C for current State regulations.

9. The family hunt follows the refuge general gun season. We will print dates in the annual refuge hunt brochure. Contact the refuge office for specific dates.

10. The refuge will provide an annual feral (wild) hog hunt. We will print dates in the annual refuge hunt brochure. Contact the refuge office for specific dates.

11. During the youth turkey hunt, an adult age 18 or older must accompany the youth, age 15 and younger, but only the youth hunter may hunt.

12. We allow hunting of deer (except spotted fawns), feral hog (no size or bag limit), gray squirrel, rabbit, armadillo, opossum, raccoon, beaver, and coyote during the archery season.

13. We prohibit harvesting antlered deer not having one (1) antler with two (2) or more points, except persons younger than age 16 may harvest any antlered deer with one (1) antler 5 inches (12.7 centimeters) or more in length. You may take feral hog (no bag or size limit) during the archery, muzzleloader, and general-gun season.

14. Hunters may take feral hog (no size or bag limit), and a maximum of two deer per day, during the family hunt, except only one deer may be antlerless for each day of the family hunts.

15. Hunters may take only feral hog (no size or bag limit) during the feral (wild) hog hunt.

16. Hunters must fill out a Big Game Harvest Report (FWS Form 3–2359) and check all game harvested during all deer and hog hunts.

17. Hunters may take only bearded turkeys and only during the State Zone C youth turkey hunts and spring turkey season.

18. Shooting hours for spring turkey begin 1/2 hour before legal sunrise and end at 1 p.m.

19. We only allow shotguns with shot no larger than size 2 common shot or bows and arrows for spring turkey hunting.

20. We prohibit crossbows except with a State-issued disabled crossbow permit. You may not use a crossbow during muzzleloader season.

* * * * *

Merritt Island National Wildlife Refuge

* * * * *

D. Sport Fishing. * * *

13. We prohibit fish cleaning on refuge property.

* * * * *

Pinellas National Wildlife Refuge

* * * * *

D. Sport Fishing. We allow fishing in refuge-managed waters year-round in areas designated as open, in accordance with State regulations and subject to the following conditions:

1. We allow fishing only from vessels in the waters surrounding Tarpon Key.

2. We close refuge lands to all public use.

3. We prohibit the disturbance of any nesting birds, wildlife, or vegetation.

St. Marks National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

2. Conditions B2 and B4 through B11 apply.

* * * * *

8. The bag limit for white-tailed deer is two deer per scheduled hunt period. We allow hunters to harvest two antlerless deer per scheduled hunt period. We define antlerless deer per State regulations (*i.e.,* un-antlered deer or antlered deer with both antlers less than 5 inches (12.7 centimeters) in length). Otherwise, hunters may harvest one antlerless deer and one antlered deer per hunt. Hunters must ensure that antlered deer have at least 3 points, of 1 inch (2.5 centimeters) or more in length on one antler.

* * * * *

■ 9. Amend § 32.29 by:

■ a. Adding paragraphs D.5 and D.6 under Banks Lake National Wildlife Refuge.

■ b. Under Blackbeard Island National Wildlife Refuge:

■ i. Revising the introductory text of paragraph C and paragraphs C.1, C.10, C.11, and C.16.

■ ii. Adding paragraphs C.20 and C.21.

■ iii. Revising the introductory text of paragraph D and paragraph D.1.

■ iv. Removing paragraphs D.2, D.3, and D.4.

■ v. Redesignating paragraph D.5 as D.2.

■ vi. Adding paragraph D.3.

■ c. Under Bond Swamp National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A and paragraphs A.2, A.6, A.8, A.9, A.13, A.19, A.24, and A.28.

■ ii. Adding paragraphs A.30, A.31, A.32, A.33, A.34, A.35, A.36, A.37, A.38, and A.39.

■ iii. Revising paragraphs B.1 and B.2.

■ iv. Adding paragraphs B.4 and B.5.

■ v. Revising paragraph C.1.

■ vi. Adding paragraphs C.6 and C.7.

■ vii. Revising paragraphs D.1, D.4, D.5, and D.6.

■ viii. Adding paragraphs D.7 and D.8.

■ d. Under Harris Neck National Wildlife Refuge:

■ i. Revising the introductory text of paragraph C and paragraphs C.1, C.5, C.6, C.7, C.10, C.12, and C.14.

■ ii. Adding paragraph C.20.

■ iii. Revising the introductory text of paragraph D and paragraph D.3.

■ iv. Adding paragraph D.5.

■ e. Under Okefenokee National Wildlife Refuge:

■ i. Removing paragraph B.3.

■ ii. Revising paragraphs C.1, C.2, and C.3.ii.

■ iii. Revising paragraphs D.1, D.4, and D.5.

■ iv. Adding paragraph D.6.

■ f. Under Piedmont National Wildlife Refuge:

■ i. Revising paragraphs B.2, B.3, B.4, B.7, and B.10.

■ ii. Adding paragraphs B.12, B.13, B.14, B.15, B.16, B.17, B.18, B.19, B.20, B.21, B.22, B.23, B.24, and B.25.

■ iii. Revising paragraphs C.1, C.3, C.4, C.6, C.7, and C.13.

■ iv. Revising paragraphs D.1, D.3, D.4, D.5, D.8, and D.10.

■ v. Adding paragraphs D.11 and D.12.

■ g. Under Savannah National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A and paragraph A.1.

■ ii. Redesignating paragraphs A.2 through A.4 as A.3 through A.5, respectively.

■ iii. Adding paragraph A.2.

■ iv. Revising newly designated paragraph A.4.

■ v. Adding paragraph A.6.

■ vi. Revising the introductory text of paragraph B and paragraphs B.1, B.2, and B.6.

■ vii. Revising the introductory text of paragraph C.

■ viii. Removing paragraph C.6.

■ ix. Redesignating paragraphs C.1 through C.5 as C.2 through C.6, respectively.

■ x. Adding paragraph C.1.
■ xi. Revising newly designated paragraph C.2 and paragraph C.8.
■ xii. Revising the introductory text of paragraph D and paragraphs D.2 and D.4.
■ xiii. Adding paragraph D.7.
■ h. Under Wassaw National Wildlife Refuge:
■ i. Revising the introductory text of paragraph C and paragraphs C.1, C.8, C.9, and C.18.
■ ii. Adding paragraphs C.21 and C.22.
■ iii. Revising the introductory text of paragraph D.
■ iv. Adding paragraphs D.3 and D.4.
■ i. Revising paragraph D under Wolf Island National Wildlife Refuge.

The revisions and additions read as follows:

§ 32.29 Georgia.

* * * * *

Banks Lake National Wildlife Refuge

* * * * *

D. Sport Fishing. * * *

5. We permit commercial fishing only by Special Use Permit (Commercial Activities Special Use Permit Application, FWS Form 3–1383–C) issued by the refuge manager.

6. We permit fishing tournaments by Special Use Permit (General Activities Special Use Permit Application, FWS Form 3–1383–G) issued by the refuge manager (fees may apply).

Blackbeard Island National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer and feral hog on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We require a refuge hunt permit (name/address/phone number) for all hunters age 16 and older, which must be signed and carried at all times when hunting. We charge a fee for all hunt permits.

* * * * *

10. We prohibit the use of organized drives for taking or attempting to take game.

11. Hunters may take five deer (no more than two antlered), and we will issue State bonus tags for two of these. There is no bag limit on feral hog.

* * * * *

16. We close the refuge to the nonhunting public on all hunt days.

* * * * *

20. We prohibit hunters from bringing firewood to the refuge.

21. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow saltwater fishing year-round in the estuarine waters adjacent to the refuge.

* * * * *

3. We require a Georgia fishing license and Saltwater Information Program (SIP) permit.

Bond Swamp National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of waterfowl on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

2. We require you to possess and carry a signed refuge hunt permit (signed brochure) and an additional refuge quota hunt permit for the quota hunts while hunting. You may obtain this permit and an application for the quota hunt from the refuge office.

* * * * *

6. We allow only nontoxic shot for hunting with the use of a shotgun in designated areas (see § 32.2(k)).

* * * * *

8. We allow access to the hunt area from 2 hours before legal sunrise until 2 hours after legal sunset.

9. We allow the use of hunting dogs for retrieving downed waterfowl during waterfowl hunts.

* * * * *

13. We prohibit entry into the designated hunt area by nonhunters during all quota deer-gun and waterfowl hunts.

* * * * *

19. Youth hunters age 15 and younger must remain within sight and normal voice contact of an adult age 21 or older possessing a valid hunting license.

* * * * *

24. We prohibit all-terrain vehicles (ATVs) on the refuge except by wheelchair-bound hunters with a refuge Special Use Permit (General Activities—Special Use Permit Application, FWS Form 3–1383–G).

* * * * *

28. We prohibit leaving vehicles, boats, trailers, or decoys on the refuge overnight (see § 27.93 of this chapter).

* * * * *

30. We prohibit the possession or use of any suppressors or silencers on any firearm.

31. We prohibit the possession or use of any trail or game camera or leaving any other electronic device on the refuge.

32. We prohibit the possession or use of any night vision or thermal imaging equipment.

33. We prohibit the possession or use of any electronic calls.

34. We prohibit the training of dogs or release of birds.

35. We prohibit falconry.

36. We prohibit bicycles on foot travel roads or off road. We restrict bicycles to roads designated open to vehicles.

37. We prohibit audio equipment such as radios, other noise-making devices, or generators.

38. We prohibit horses or mules.

39. We prohibit construction of or hunting from permanent blinds for waterfowl. You may only place temporary blinds, blind material, and/or decoys on the day of the hunt, and you must remove them by 1:00 p.m. on that same day.

B. Upland Game Hunting. * * *

1. Conditions A1, A3 through A8, A10 through A12, and A14 through A38 apply.

2. We require you to possess and carry a signed refuge hunt permit (signed brochure) while hunting for upland game. The hunt brochure will serve as your hunt permit. You may obtain this permit from the refuge office.

* * * * *

4. We allow the use of hunting dogs while hunting for squirrel, rabbit, and quail.

5. You may place tree stands and hunting blinds during upland game and big game hunts on the day prior to each upland game and big game hunt. You must remove tree stands and hunting blinds by 11:00 a.m. on the day after the hunt.

C. Big Game Hunting. * * *

1. Conditions A1 through A8, A10 through A18, A20 through A38, and B5 apply.

* * * * *

6. For archery hunting, we require you to possess and carry a signed refuge hunt permit (signed brochure) while hunting. You may obtain this permit from the refuge office.

7. Youth hunters age 15 and younger must remain within sight and normal voice contact of an adult age 21 or older possessing a valid hunting license. One adult may supervise no more than one youth hunter.

D. Sport Fishing. * * *

1. We allow fishing from March 1 to October 31, except on the Ocmulgee River, which is open to fishing year-round.

* * * * *

4. We allow boat launching at the Stone Creek Boat Launch. During periods of high water, we allow boats to be launched from refuge roads normally open to vehicle traffic. We allow gasoline motors only during periods of high water as defined as a reading of 18.0 feet (5.5 meters) or higher at the Macon Gauge on the Ocmulgee River.

5. Conditions A3, A4, A11, A15, A16, A20 through A32, and A36 through A38 apply.

6. We prohibit use or possession of alcoholic beverages while fishing on the refuge.

7. We require you to possess and carry a signed refuge fishing permit (signed brochure) while fishing. You may obtain this permit from the refuge office.

8. Youth fishermen age 15 and younger must remain within sight and normal voice contact of an adult age 21 or older possessing a valid fishing license.

* * * * *

Harris Neck National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer and feral hog on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We require a refuge hunt permit (name/address/phone number) for all hunters age 16 and older, which must be signed and carried at all times when hunting. We charge a fee for all hunt permits.

* * * * *

5. We prohibit hunting within 100 yards (91.4 meters) of Harris Neck Road, the refuge entrance drive, Visitor Contact Station/Office, Barbour River Landing, Barbour River Road, or Gould's Cemetery.

6. We require hunters to check-in and check-out each hunt day. Personal identification is required.

7. We require hunters to check all harvested game at the check station before leaving the refuge each day.

* * * * *

10. Hunters must enter the refuge through the main entrance gate. We prohibit entry by boat.

* * * * *

12. During the gun hunt, we allow only shotguns (20 gauge or larger; slugs only), muzzleloaders, and bows in accordance with State regulations.

* * * * *

14. During the gun hunt, hunters must wear an outer garment with a minimum of 500 square inches (3,250 square centimeters) of hunter-orange material above the waistline.

* * * * *

20. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32).

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

3. We close the Barbour Landing (boat ramp and parking areas) to the public from 12 a.m. (midnight) to 4 a.m.

* * * * *

5. We require a Georgia fishing license and Saltwater Information Program (SIP) permit.

Okefenokee National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

1. In the Pocket Unit:

i. We only allow archery hunting and foot traffic.

ii. You must sign in and out daily.

iii. You must remove tree stands daily (see § 27.93 of this chapter).

iv. We prohibit the use of dogs.

v. We prohibit hunting within 50 yards (45.7 meters) of any road opened for vehicular access.

vi. We prohibit possessing a cocked crossbow in a motor vehicle.

vii. We allow scouting 7 days prior to scheduled hunt.

viii. We prohibit shooting from a motor vehicle.

2. In the Suwannee Canal Unit:

i. We only allow two ½-day hunts (dates will be announced) and shotguns with slugs or muzzleloaders.

ii. We require a refuge permit (Big/Upland Game Hunt Application, FWS Form 3–2356) through refuge lottery (fee will be announced).

iii. Hunters must remain on stands from 30 minutes before legal sunrise until 9 a.m.

iv. You must sign in and sign out daily.

v. You must tag your deer with special refuge tags (obtained from Refuge Office). There is a limit of two deer of either sex per day.

vi. We zone Chesser Island Hunt area to accommodate wheelchair hunters.

vii. We prohibit hunting with dogs.

viii. We allow scouting 7 days prior to scheduled hunt.

ix. We prohibit shooting from a motor vehicle.

x. We prohibit taking or possessing any wildlife except during an open season for that species.

xi. Condition C.1.iii applies.

3. * * *

ii. Conditions B.1, C.1.iii, and C.1.iv apply.

D. Sport Fishing. * * *

1. You may use only 10 horsepower motors or less on the refuge.

* * * * *

4. We prohibit paddleboarding, air boats, swimming, and wading.

5. All boats must be off the water by posted time.

6. In the Suwannee Canal Unit, we prohibit fishing in ponds and canals along Swamp Island Drive.

Piedmont National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

2. We coordinate seasons and limits with the State and annually list them in the refuge hunt brochure.

3. You must possess and carry a signed refuge hunt permit (signed brochure) while hunting. You may obtain the permit from the refuge office.

4. We require a signed refuge hunt permit (signed brochure) to hunt on the Hitchiti Experimental Forest in accordance with refuge hunting seasons and regulations.

* * * * *

7. We allow access to the hunt area from 2 hours before legal sunrise until 2 hours after legal sunset.

* * * * *

10. You may use dogs on designated areas of the refuge for hunting quail, squirrel, rabbit, raccoon, and opossum in accordance with State regulations.

* * * * *

12. We prohibit use or possession of alcoholic beverages while hunting on the refuge (see § 32.2(j)).

13. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32).

14. We prohibit possession or use of any suppressors or silencer on any firearms.

15. We prohibit possession or use of trail or game cameras or leaving any other electronic device on the refuge.

16. We prohibit possession or use of any night vision or thermal imaging equipment.

17. We prohibit possession or use of any electronic calls.

18. We prohibit training of dogs or release of birds.

19. We prohibit falconry.

20. We prohibit bicycles on foot travel roads or off road. We restrict bicycles to gravel roads designated open to vehicles.

21. We prohibit overnight camping and/or parking.

22. We prohibit horses or mules.

23. We prohibit taking, collecting, or disturbing any artifact, property, plant, wildlife, or part thereof, other than that specifically allowed by refuge regulation (see §§ 27.61 and 27.62 of this chapter).

24. We prohibit open fires.

25. Youth hunters age 15 and younger must remain within sight and normal voice contact of an adult age 21 or older possessing a valid hunting license.

C. Big Game Hunting. * * *

1. Conditions B4 through B7, B12 through B18, B20, and B22 through B24 apply.

* * * * *

3. We require you to possess and carry a signed refuge hunt permit (signed brochure) while archery hunting. You may obtain this permit from the refuge office.

4. We require you to possess and carry a signed refuge hunt permit (signed brochure), pay a fee for the quota firearms hunts, and possess and carry an additional refuge quota hunt permit (name/address/phone number) for the quota hunts. You may obtain applications and information about the hunt drawing from the refuge office.

* * * * *

6. We prohibit entry into designated hunt areas by nonhunters during all quota deer hunts and the disabled deer hunts.

7. We prohibit overnight camping and/or parking except in the designated campground at Pippins Lake. You must have a valid, paid refuge quota hunt permit (name/address/phone number) during big game quota hunts or a signed refuge hunt permit (signed brochure) during the archery hunt to enter and use the campground.

* * * * *

13. We prohibit all-terrain vehicles (ATVs) on the refuge except by wheelchair-bound hunters with a special use permit (General Activities—Special Use Permit Application, FWS Form 3–1383–G).

* * * * *

D. Sport Fishing. * * *

1. We allow fishing from March 15 to September 30.

* * * * *

3. You may keep the following numbers of fish each day: bass—5, channel catfish—5, sunfish or bream—15, and crappie—15.

4. We allow nonmotorized boats or boats with electric motors on all ponds designated as open to fishing.

5. We prohibit use or possession of alcoholic beverages while fishing on the refuge.

* * * * *

8. We prohibit the use of fish for bait and the possession of minnows.

* * * * *

10. We prohibit possession or take of grass carp. You must immediately release any grass carp caught.

11. We require you to possess and carry a signed refuge fishing permit (signed brochure) while fishing. You may obtain this permit from the refuge office.

12. Youth fishermen age 15 and younger must remain within sight and normal voice contact of an adult age 21 or older possessing a valid fishing license.

Savannah National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of duck and coot on designated areas of the refuge north of Georgia Highway 25/South Carolina Highway 170 in accordance with State regulations and subject to the following conditions:

1. For all hunters age 16 and older, we require a refuge hunt permit, which must be signed and carried at all times when hunting. We charge a fee for all hunt permits.

2. To participate in the youth waterfowl hunt, youth hunters must submit the Waterfowl Lottery Application (FWS Form 3–2355). We require an application fee to enter the hunt drawing.

* * * * *

4. We prohibit hunting within 100 yards (91.4 meters) of Georgia Highway 25/South Carolina Highway 170.

* * * * *

6. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32.)

B. Upland Game Hunting. We allow hunting of squirrel on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 and A6 apply.

2. We only allow rimfire rifles or shotguns with #2 shot or smaller for squirrel hunting.

* * * * *

6. Youth hunters age 15 and younger must remain within sight and normal voice contact of an adult age 21 or older, possessing a license. One adult may supervise no more than one youth hunter.

C. Big Game Hunting. We allow hunting of white-tailed deer, turkey, and feral hog on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1, A6, B3, B4, and B6 apply.

2. To participate in the gun hunt for wheelchair-dependent hunters, hunters must submit the Quota Deer Hunt Application (FWS Form 3–2354). To participate in the Youth Turkey Hunt & Learn Weekend, youth hunters must submit the Big/Upland Game Hunt Application (FWS Form 3–2356). We require an application fee to enter these hunt drawings.

* * * * *

8. We allow shotguns with only #2 shot or smaller and bows, in accordance with State regulations, for turkey hunting. We prohibit the use of slugs or buckshot for turkey hunting.

* * * * *

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

2. Anglers may fish in Kingfisher Pond and all tidal creeks year-round.

* * * * *

4. Anglers may bank fish year-round throughout the refuge, unless otherwise posted.

* * * * *

7. We require a Georgia fishing license for fishing in Georgia waters; we require a South Carolina freshwater fishing license for fishing in South Carolina waters (includes refuge impoundments and bank fishing from Laurel Hill Wildlife Drive).

Wassaw National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer and feral hog on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We require a refuge hunt permit, for all hunters age 16 and older, which must be signed and carried at all times when hunting. We charge a fee for all hunt permits.

* * * * *

8. We allow only bows and muzzleloading rifles, in accordance with State regulations, for deer and hog hunting during primitive weapons hunt.

9. We allow only shotguns (20 gauge or larger; slug only), center-fire rifles (.22 caliber or larger), bows, and primitive weapons, in accordance with

State regulations, for deer and hog hunting during the gun hunt.

* * * * *

18. We will close the refuge to the nonhunting public on all hunt days.

* * * * *

21. We prohibit hunters from bringing firewood to the refuge.

22. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32.)

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

3. We prohibit freshwater fishing.

4. We require a Georgia fishing license and Saltwater Information Program (SIP) permit.

Wolf Island National Wildlife Refuge

* * * * *

D. Sport Fishing. Anglers may fish in designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow saltwater fishing year-round in the estuarine waters adjacent to the refuge.

2. We close all beach, marsh, and upland areas to the public.

3. We require a Georgia fishing license and Saltwater Information Program (SIP) permit.

* * * * *

■ 10. Amend § 32.32 by:

■ a. Adding paragraph B.6 under Crab Orchard National Wildlife Refuge.

■ b. Under Cypress Creek National Wildlife Refuge:

■ i. Adding paragraph A.6.

■ ii. Revising paragraphs B.1 and C.1.

■ iii. Removing paragraph C.3.

■ c. Under Emiquon National Wildlife Refuge:

■ i. Adding paragraph A.5.

■ ii. Revising paragraph B.

■ iii. Revising paragraph C.1.

■ d. Revising paragraphs A, B, and C under Great River National Wildlife Refuge.

■ e. Under Middle Mississippi River National Wildlife Refuge:

■ i. Adding paragraph A.4.

■ ii. Revising paragraphs B.2 and C.1.

■ iii. Removing paragraph C.3.

■ iv. Redesignating paragraphs C.4 through C.6 as C.3 through C.5, respectively.

■ f. Under Port Louisa National Wildlife Refuge:

■ i. Revising paragraphs A, B, and C.

■ ii. Adding paragraph D.6.

■ g. Under Two Rivers National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A.

■ ii. Adding paragraph A.3.

■ iii. Revising the introductory text of paragraph B and paragraph B.2.

■ iv. Adding paragraph B.3.

■ v. Revising the introductory text of paragraph C and paragraph C.3.

The additions and revisions read as follows:

§ 32.32 Illinois.

* * * * *

Crab Orchard National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

6. For hunting, you may use or possess only approved nontoxic shot shells (see § 32.2(k)).

* * * * *

Cypress Creek National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

6. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. * * *

1. Conditions A1, A2, A4, A5, and A6 apply.

* * * * *

C. Big Game Hunting. * * *

1. Conditions A1, A2, A4, and A5 apply. Condition A6 applies to wild turkey only.

* * * * *

Emiquon National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

5. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow upland game hunting on designated areas of the refuge in accordance with State regulations and subject to the following condition: Conditions A4 and A5 apply.

C. Big Game Hunting. * * *

1. Condition A4 applies. Condition A5 applies to wild turkey only.

* * * * *

Great River National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of waterfowl and coot on the Long Island Division of the refuge in accordance with State and Federal regulations and subject to the following conditions:

1. We allow hunting only from blinds constructed on sites posted by the Illinois Department of Natural Resources.

2. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow hunting of small game, furbearers, and game birds on the Long Island, Fox Island, Cherry Box, and Hickory Creek Divisions of the refuge in accordance with State regulations and subject to the following conditions:

1. Condition A2 applies.

2. We open refuge divisions for upland game hunting from ½ hour before legal sunrise to ½ hour after legal sunset.

3. We allow hunting with shotgun only during the Statewide upland game season.

4. We close Fox Island Division to all upland game hunting from October 16 through December 31.

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated portions of the refuge in accordance with State regulations and subject to the following conditions:

1. Condition A2 applies, except for when hunting for white-tailed deer.

2. We prohibit construction or use of permanent blinds, platforms, or ladders (see § 27.92 of this chapter).

3. We only allow portable tree stands from September 1 through January 31 of each year. The hunter's full name, address, and State-generated hunter identification number must be permanently attached in a visible location on the stand. Limit one stand per hunter.

4. We prohibit hunting over or placing on the refuge any salt or other mineral blocks (see § 32.2(h)).

5. On the Fox Island Division, we only allow deer hunting during the Statewide archery deer season only.

6. On the Cherry Box and Hickory Creek divisions, we allow deer hunting during the Statewide archery deer season only.

7. On the Delair Division, we only allow deer hunting during special managed hunts and subject to the following conditions:

i. You must possess and carry a refuge permit (hunt letter) when hunting.

ii. You must register at the hunter sign-in/out station and record the sex and age of deer harvested on the Big Game Harvest Report (FWS Form 3–2359).

iii. Shooting hours end at 3 p.m. each day.

8. On the Long Island Division, we allow deer and turkey hunting in

accordance with State seasons and regulations.

9. On the Fox Island, Cherry Box, and Hickory Creek Divisions, we allow turkey hunting during the state spring season, youth season, and fall archery season.

* * * * *

Middle Mississippi River National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

4. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. * * *

2. Condition A4 applies.

C. Big Game Hunting. * * *

1. Conditions A1 and A2 apply. Condition A4 applies to wild turkey only.

* * * * *

Port Louisa National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of migratory game birds on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow hunting of migratory game birds on the Big Timber Division and Iowa River Corridor Lands. We prohibit hunting of migratory game birds on the Louisa, Horseshoe Bend, and Keithsburg Divisions.

2. You must remove boats, decoys, and portable blinds (see § 27.93 of this chapter) at the end of each day.

3. For hunting, you may use or possess only approved nontoxic shot shells (see § 32.2(k)).

4. On the Big Timber Division, we allow portable blinds on a daily basis at any location on first-come, first-served basis.

B. Upland Game Hunting. We allow hunting of upland game on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow hunting of upland game on the Big Timber, Keithsburg, and Horseshoe Bend Divisions, and on Iowa River Corridor Lands. We prohibit hunting of upland game on any other areas of the refuge.

2. Condition A3 applies to upland game. You may use lead shot to hunt turkey. We allow shotgun slug or muzzleloading rifle for hunting coyotes.

3. We only allow squirrel hunting on the Keithsburg Division from the beginning of the State season to September 15.

4. We allow hunting on the Horseshoe Bend Division from September 1 until September 15 and December 1 until the end of the State seasons. We allow spring turkey hunting.

5. We allow hunting on the Big Timber Division from September 1 until the end of the State seasons. We allow spring turkey hunting.

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow hunting of white-tailed deer only on Big Timber Division, on Horseshoe Bend Division, and on Iowa River Corridor Lands. We prohibit hunting of white-tailed deer on any other areas of the refuge.

2. We only allow the use of portable stands, and hunters must remove them at the end of each day (see § 27.93 of this chapter).

3. We close Horseshoe Bend Division to all public access from September 15 until December 1.

D. Sport Fishing. * * *

6. We allow sport fishing on Iowa River Corridor lands subject to the following condition: Condition D4 applies.

Two Rivers National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of migratory game birds only on the Apple Creek Division and the portion of the Calhoun Division east of the Illinois River Road in accordance with State regulations and subject to the following conditions:

* * * * *

3. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow upland game hunting for wild turkey, small game, furbearers, and nonmigratory game birds on the Apple Creek Division and the portion of the Calhoun Division east of the Illinois River Road in accordance with State regulations and subject to the following conditions:

* * * * *

2. We allow turkey hunting only on the Clarksville Island Division. We restrict turkey hunting to archery only in the fall and shotgun or archery in the spring.

3. Condition A3 applies.

C. Big Game Hunting. We allow hunting of white-tailed deer on the Apple Creek Division and the portion of the Calhoun Division east of the Illinois River Road in accordance with State regulations and subject to the following conditions:

* * * * *

3. We restrict white-tailed deer hunting on the Clarksville Island Division to archery only.

* * * * *

■ 11. Amend § 32.33 by:

■ a. Revising paragraphs B.4, C.1, C.7, and D.7 under Muscatatuck National Wildlife Refuge.

■ b. Under Patoka River National Wildlife Refuge and Management Area:

■ i. Revising paragraph B.1.

■ ii. Revising the introductory text of paragraph C and paragraph C.3.

■ iii. Adding paragraphs C.4, C.5, and C.6.

■ iv. Revising paragraph D.2.iii.

The additions and revisions read as follows:

§ 32.33 Indiana.

* * * * *

Muscatatuck National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

4. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

* * * * *

C. Big Game Hunting. * * *

1. Conditions B1, B5, and B7 apply. Condition B4 applies only to wild turkey.

* * * * *

7. We require all hunters to display a Big Game Harvest Report (FWS Form 3–2359), with name and date filled in, on their vehicle dashboard while hunting. Hunters may obtain a copy of the Big Game Harvest Report at registration boxes. Deer and turkey hunters must leave the completed form at a registration box before departing the refuge.

* * * * *

D. Sport Fishing. * * *

7. We allow only children younger than age 16 to fish in the Discovery Pond.

Patoka River National Wildlife Refuge and Management Area

* * * * *

B. Upland Game Hunting. * * *

1. Hunters must register to hunt furbearers at the refuge office, record the number of furbearers harvested on the Upland Game Hunt Report (FWS Form 3–2362), and return the completed form to the refuge office after the hunting season.

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer and wild turkey in accordance with State

regulations and subject to the following conditions:

* * * * *

3. On the Columbia Mine Unit, you may only hunt white-tailed deer during the first week (7 days) of the following State-defined seasons: archery, firearms, and muzzleloader.

4. On the Columbia Mine Unit, you may only hunt wild turkey during the State-defined spring season. We prohibit fall season wild turkey hunting on the Columbia Mine Unit.

5. On the Columbia Mine Unit, you may leave portable tree stands overnight only when the unit is open to hunting and for a 2-day grace period before and after the special season.

6. Conditions A6 through A8 apply.

D. Sport Fishing. * * *

2. * * *

iii. The minimum size limit for largemouth bass on Snakey Point Marsh and on the Columbia Mine Unit is 14 inches (35.6 centimeters).

* * * * *

■ 12. Amend § 32.34 by:

■ a. Adding, in alphabetical order, an entry for Iowa Wetland Management District.

■ b. Under Northern Tallgrass Prairie National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A.

■ ii. Revising the introductory text of paragraph B.

■ iii. Adding paragraph C.5.

■ c. Under Union Slough National Wildlife Refuge:

■ i. Revising paragraphs A.1, A.2, A.3, and A.4.

■ ii. Revising the introductory text of paragraph B and paragraphs B.2 and B.4.

■ iii. Revising paragraph C.

■ iv. Removing paragraph D.1.

■ v. Redesignating paragraphs D.2 through D.4 as D.1 through D.3, respectively.

■ vi. Revising newly designated paragraph D.2.

The revisions and addition read as follows:

§ 32.34 Iowa.

* * * * *

Iowa Wetland Management District

A. Migratory Game Bird Hunting. We allow hunting of migratory game birds throughout the district in accordance with State regulations and subject to the following condition: For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow upland game hunting throughout the district in accordance with State regulations and subject to the following condition: For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

C. Big Game Hunting. We allow big game hunting throughout the district in accordance with State regulations.

D. Sport Fishing. [Reserved]

* * * * *

Northern Tallgrass Prairie National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of ducks, geese, mergansers, coots, rails (Virginia and sora only), woodcock, snipe, and doves (mourning and Eurasian collared) on designated areas in accordance with State regulations and subject to the following conditions:

* * * * *

B. Upland Game Hunting. We allow hunting of ring-necked pheasant, bobwhite quail, gray partridge, cottontail rabbit, squirrel (fox and gray), groundhog, raccoon, opossum, fox (red and gray), coyote, badger, striped skunk, and crow on designated areas in accordance with State regulations and subject to the following conditions:

* * * * *

C. Big Game Hunting. * * *

5. While hunting wild turkey, you may use only approved nontoxic shot shells (see § 32.2(k)).

* * * * *

Union Slough National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. We allow hunters on the refuge from 1 hour before legal sunrise until 1 hour after legal sunset.

2. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

3. We allow boats or other floating devices. We allow electric motors only. We prohibit the use of air-thrust boats. You may not leave boats unattended.

4. You may construct blinds using manmade materials or natural vegetation found on the refuge. We prohibit bringing plants or their parts onto the refuge.

* * * * *

B. Upland Game Hunting. We allow hunting of pheasant, gray partridge, cottontail rabbit, squirrel (fox and gray), groundhog, raccoon, opossum, fox, coyote, and crow on Buffalo Creek Bottoms, Schwob Marsh, and the Core Area in accordance with State regulations and subject to the following conditions:

* * * * *

2. We prohibit possession of shotgun slugs.

* * * * *

4. Conditions A2, A6, A7, and A8 apply.

C. Big Game Hunting. We allow hunting of deer and turkey on Buffalo Creek Bottoms, Schwob Marsh, and the Core Area in accordance with State regulations and subject to the following conditions:

1. Conditions B1 and A8 apply. Condition A2 applies only to wild turkey.

2. Deer hunters in the Core Area must possess a valid State deer hunting license and an unfilled State-issued transportation tag.

3. We allow portable tree stands, portable blinds, and freestanding elevated platforms to be left on the refuge from 7 days prior to the first deer hunting season; they must be removed prior to 7 days following the last deer hunting season. Turkey hunters must remove blinds and stands each day.

4. You must label portable tree stands, portable blinds, and freestanding elevated platforms with your name, address, and phone number if left unattended. The label must be legible from the ground.

5. You must remove any other personal property brought onto the area at the end of each day (see §§ 27.93 and 27.94 of this chapter).

6. We only allow deer hunters on the refuge from 1 hour before legal sunrise until 1 hour after legal sunset.

7. Deer hunters may possess only shot shells that shoot a single projectile (*i.e.,* slugs).

8. We prohibit turkey hunting in the Core Area at all times.

9. We only allow turkey hunters on the refuge from 1 hour before legal sunrise until 1 hour after legal sunset.

10. We allow the use of temporary stands, blinds, platforms, or ladders. You may construct blinds using manmade materials or natural vegetation found on the refuge. We prohibit bringing plants or their parts onto the refuge.

11. We prohibit entry into any closed area to retrieve downed game, unless the hunter has received written permission from the refuge manager.

D. Sport Fishing. * * *

2. We allow fishing from boats on the Buffalo Creek Bottoms; however, we prohibit the use of gasoline motors.

* * * * *

■ 13. Amend § 32.36 by revising the entry for Reelfoot National Wildlife Refuge to read as follows:

§ 32.36 Kentucky.

* * * * *

Reelfoot National Wildlife Refuge

Refer to § 32.62 Tennessee for regulations.

* * * * *

■ 14. Amend § 32.37 by:
■ a. Revising paragraphs A.1, A.10, A.15, B.4, and C.12 under Bayou Cocodrie National Wildlife Refuge.
■ b. Under Big Branch Marsh National Wildlife Refuge:
■ i. Revising paragraph A.5 and B.1.
■ ii. Adding paragraph B.5.
■ iii. Revising paragraph C.8.
■ c. Under Bogue Chitto National Wildlife Refuge:
■ i. Revising paragraphs A.3, A.4, A.7, A.9, B.4, B.5, and C.6.
■ ii. Removing paragraphs C.7 and C.9.
■ iii. Redesignating paragraph C.8 as C.7.
■ iv. Revising newly designated paragraph C.7.
■ v. Redesignating paragraphs C.10 through C.12 as C.8 through C.10, respectively.
■ vi. Revising newly designated paragraph C.8.
■ vii. Adding paragraph D.8.
■ d. Revising paragraph A.2 under Cameron Prairie National Wildlife Refuge.
■ e. Revising paragraphs A.1, A.3, A.7, B.2, and C.3 under Cat Island National Wildlife Refuge.
■ f. Revising paragraph A.3 under Lacassine National Wildlife Refuge.
■ g. Revising paragraph A.3 under Sabine National Wildlife Refuge.
■ h. Under Tensas River National Wildlife Refuge:
■ i. Redesignating paragraphs A.1 through A.11 as A.3 through A.13, respectively.
■ ii. Adding paragraphs A.1 and A.2.
■ iii. Revising newly designated paragraphs A.3, A.6, A.7, A.10, and A.13.
■ iv. Revising paragraphs B.1, B.2, B.5, and B.6.
■ v. Revising paragraphs C.2, C.3, C.4, C.5, C.6, C.9, C.14, and C.16.
■ vi. Redesignating paragraphs D.1 through D.5 as D.3 through D.7, respectively.
■ vii. Adding paragraphs D.1 and D.2.
■ viii. Revising newly designated paragraph D.6.

The revisions and additions read as follows:

§ 32.37 Louisiana.

* * * * *

Bayou Cocodrie National Wildlife Refuge

A. *Migratory Game Bird Hunting.* * * *

1. We require that all hunters and anglers age 16 and older purchase an annual public use permit (name/address/telephone number). We waive the fee for individuals age 60 and older. The refuge user is required to sign, certifying that you understand and will comply with all regulations, and carry this permit at all times while on the refuge.

* * * * *

10. Refuge users must check all game taken before leaving the refuge at one of the self-clearing check stations indicated on the map in the refuge public use brochure (name only).

* * * * *

15. Each refuge user must obtain a daily use reporting card (one per person) and place it on the dashboard of their vehicle or in their boat where their personal information (name/city/state/zip code) is readable and in plain view. Users must complete all the information requested (name/address/phone number) and return the cards to the refuge kiosk/check stations upon departure from the refuge.

* * * * *

B. Upland Game Hunting. * * *

4. While engaged in upland game hunting, we prohibit possession of hunting firearms (see § 27.42 of this chapter) larger than .22 caliber rimfire, shotgun slugs, or buckshot.

* * * * *

C. Big Game Hunting. * * *

12. There is a $5 application fee per person for the lottery gun hunt application (name/address/phone number).

* * * * *

Big Branch Marsh National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

5. You must possess and carry a valid refuge hunt permit (signed brochure).

* * * * *

B. Upland Game Hunting. * * *

1. We allow upland game hunting during the open State season using only approved nontoxic shot (see § 32.2(k)) size 4 or smaller or .17 or .22 caliber rimfire rifles or smaller.

* * * * *

5. All hunters, including archers (while on the ground), except waterfowl hunters must wear a hunter orange cap or hat during the dog season for squirrel and rabbit.

C. Big Game Hunting. * * *

* * * * *

8. Conditions A5 through A10, A12 through A18, and B5 apply.

* * * * *

Bogue Chitto National Wildlife Refuge

A. Migratory Bird Hunting. * * *

3. We allow public hunting on designated areas during the open State season for listed migratory game bird species. We designate areas where public use is restricted in the refuge hunt permit (signed brochure) or by designated signage.

4. When hunting for migratory game birds, we only allow dogs to locate, point, and retrieve.

* * * * *

7. We prohibit hunting within 150 feet (45.7 meters) from the centerline of any public road, refuge road, designated or maintained trail, building, residence, designated public facility, or from or across aboveground oil or gas or electric facilities. We prohibit hunting in refuge-designated closed areas, which we post on the refuge and identify in the refuge hunt permits.

* * * * *

9. We allow primitive camping within 100 feet (30.5 meters) of designated streams. These include either bank of the Boque Chitto River, Wilson Slough, and West Pearl River south of Wilson Slough, refuge lands along the East Pearl River, and Holmes Bayou. Campers must mark their campsite with the owner's name, address, phone number, and dates of occupancy placed in a conspicuous location in the center of camp.

* * * * *

B. Upland Game Hunting. * * *

4. All hunters in Louisiana (including archery hunters and small game hunters), except waterfowl hunters, must wear and display not less than 400 square inches (2,580.6 square centimeters) of unbroken hunter-orange as the outermost layer of clothing on the chest and back and a hunter-orange cap during deer gun seasons. We require all deer hunters to display a minimum of 400 square inches (2,580.6 square centimeters) of hunter-orange or a hunter-orange cap or hat while walking to and from elevated stands. All hunters in Mississippi must wear not less than 500 square inches (3,225.8 square centimeters) of hunter-orange in place of the 400 square inches (2,580.6 square centimeters) requirement described for Louisiana. All hunters, including archers (while on the ground), except waterfowl hunters, must wear a hunter-orange cap during the dog season for squirrels and rabbits. Deer hunters hunting from concealed blinds must display a minimum of 400 square inches (2,580.6 square centimeters) of hunter-orange above or around their blinds that is visible from 360 degrees.

5. Conditions A5 through A17 apply, except you may use .22- caliber rifles or smaller, and the nontoxic shot in your possession while hunting must be size 4 or smaller (see § 32.2(k)).

C. Big Game Hunting. * * *

6. Legal primitive weapons/firearms used for hunting during the primitive weapons/firearm season are defined by State regulation.

7. We prohibit the use of dogs unless noted otherwise.

8. You may take hog as incidental game while participating in the refuge archery, primitive weapon, and general gun deer hunts and where otherwise specified. We list specific dates for the special hog hunts in February and March in the refuge hunt permit (signed brochure). During the special hog hunts in February, you must use trained hog-hunting dogs to aid in the take of hog. During the special hog hunts, you may take hog from ½ hour before legal sunrise until ½ hour after legal sunset, and you must use pistol or rifle ammunition not larger than .22 caliber rimfire or shotgun with nontoxic shot to take the hog after it has been caught by dogs (see § 32.2(k)). During the special hog hunt in March, you may use any legal hunting firearm. Condition A8 applies during special hog hunts in February.

* * * * *

D. Sport Fishing. * * *

8. The Pearl River Turnaround area, when open, is daylight use only.

* * * * *

Cameron Prairie National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. We prohibit entrance to the waterfowl hunting area earlier than 4 a.m. Shooting hours for waterfowl hunts end at 2 p.m. each day.

* * * * *

Cat Island National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. We require that all hunters and anglers age 16 and older purchase an annual public use permit (name/address/telephone number). We waive the fee for hunters age 65 and older. The refuge user is required to sign, certifying that you understand and will comply with all regulations, and carry this permit at all times while on the refuge.

* * * * *

3. You may possess only approved nontoxic shot while hunting on the refuge (see § 32.2(k)). This requirement applies only to the use of shotgun ammunition.

* * * * *

7. Refuge users must check all game (name) taken prior to leaving the refuge at one of the self-clearing check stations indicated on the map in the refuge public use brochure.

* * * * *

B. Upland Game Hunting. * * *

2. While upland game hunting, we prohibit the possession of hunting firearms larger than 0.22 caliber rimfire, shotgun slugs, and buckshot (see § 27.42 of this chapter).

* * * * *

C. Big Game Hunting. * * *

3. There is a $5 application fee per person for each lottery hunt application (name/address/phone number).

* * * * *

Lacassine National Wildlife Refuge

A. Migratory Bird Hunting. * * *

3. We prohibit entrance to the waterfowl hunting area earlier than 4 a.m. Shooting hours end at 2 p.m. each day.

* * * * *

Sabine National Wildlife Refuge

A. Migratory Bird Hunting. * * *

3. We prohibit entrance to the waterfowl hunting area earlier than 4 a.m. Shooting hours end at 2 p.m. each day.

* * * * *

Tensas River National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. Hunters must possess and carry a signed refuge access permit (signed brochure) when hunting.

2. We require that all hunters must check-in/check-out daily at their closest entrance point using the Visitor Check-in Permit and Report (FWS Form 3–2405) for all recreational activities.

3. We allow hunting of duck and coot on Tuesdays, Thursdays, Saturdays, and Sundays until 2:00 p.m. during the State season. We prohibit migratory bird hunting during refuge gun hunts for deer.

* * * * *

6. We allow hunting shotguns equipped with a single-piece magazine plug that allows the gun to hold no more than two shells in the magazine and one in the chamber. We prohibit target practicing or shooting to unload modern firearms on the refuge at any time. Shotgun hunters must possess only an approved nontoxic shot when hunting migratory birds (see § 32.2(k)). Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32).

7. We prohibit permanent or pit blinds on the refuge. You must remove all blind materials and decoys by 2 p.m. daily.

* * * * *

10. We allow all-terrain vehicle (ATV) travel on designated trails for access typically from September 15 to the last day of the refuge squirrel season. We open designated trails from 4 a.m. to no later than 2 hours after legal sunset unless otherwise specified. We define an ATV as an off-road vehicle (not legal for highway use) with factory specifications not to exceed the following: Weight 750 pounds (337.5 kilograms), length 85 inches (212.5 centimeters (cm)), and width 48 inches (121.9 cm). We restrict ATV tires to those no larger than 25 inches (62.5 cm) x 12 inches (30 cm) with a 1-inch (2.5 cm) lug height and maximum allowable tire pressure of 7 psi. We require a permanently affixed refuge ATV permit that hunters may obtain from the refuge headquarters. Hunters/anglers using the refuge handicapped all-terrain trails must possess the State's Physically Challenged Program Hunter Permit or be age 60 or older. Additional physically challenged access information will be available at the refuge headquarters.

* * * * *

13. An adult at least age 18 must supervise youth hunters younger than age 16 during all hunts. One adult may supervise two youths during small game and migratory bird hunts but may supervise only one youth during big game hunts. Youth must remain within normal voice contact of the adult who is supervising them. Parents or adult guardians are responsible for ensuring that hunters younger than age 16 do not engage in conduct that would constitute violation of refuge regulations.

B. Upland Game Hunting. * * *

1. We allow nighttime raccoon hunting beginning typically the third Saturday in December and typically ending the third Sunday in January. We allow raccoon hunters to hunt from legal sunset to legal sunrise with the aid of dogs, horses, mules, and use of lights. We allow such use of lights on the refuge only at the point of kill. We prohibit all other use of lights for hunting on the refuge. Hunt dates will be available at refuge headquarters typically in July. We prohibit ATVs during the raccoon hunt. Hunters must attempt to take treed raccoons.

2. We allow squirrel and rabbit hunting with and without dogs. We will allow hunting without dogs from the beginning of the State season to a date typically ending the day before the refuge deer firearms hunt. We do not require hunters to wear hunter orange during the squirrel and rabbit season without dogs. Squirrel and rabbit hunting with or without dogs will begin typically the second Monday in January and will conclude the last day of February, but will re-open for Louisiana State Spring Season, typically during May. We require a minimum of a solid-hunter-orange cap during the squirrel season with or without dogs. We allow no more than three dogs per hunting party.

* * * * *

5. When hunting, we allow .22 caliber and smaller rimfire weapons or shotguns equipped with a single-piece magazine plug that allows the shotgun to hold no more than two shells in the magazine and one in the chamber. We prohibit target practicing or shooting to unload modern firearms on the refuge at any time. Shotgun hunters must possess only an approved nontoxic shot when hunting upland game (see § 32.2(k)). Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32).

6. Conditions A1, A2, A4, A8, A9, A10, A11, A12, and A13 apply.

C. Big Game Hunting. * * *

2. The deer primitive firearms season will occur between November 1 and January 31. Legal primitive firearms for primitive season include:

i. Hunting rifles, .44 caliber minimum, all of which must load exclusively from the muzzle or cap and ball cylinder; use of black powder or approved substitute only; use of ball or bullet projectile only, including saboted bullets, including muzzleloaders known as ''in line'' muzzleloaders; and

ii. Single-shot, breech-loading hunting rifles, .35 caliber or larger of a kind or type manufactured prior to 1900 and relics, reproductions, or reintroductions of that type of rifle having an exposed hammer that use metallic cartridges loaded with black powder or modern smokeless powder.

3. During the deer primitive firearms season, hunters may fit any legal primitive hunting firearm with magnified scopes. We allow hunters using primitive weapons described as muzzleloader (including in-line) (see C.2.i.) to hunt reforested areas. We prohibit hunters using primitive weapons described in C.2.ii. from hunting in reforested areas.

4. We will conduct two quota-modern-firearms hunts for deer typically in the months of November and/or December. We will make hunt dates and permit application procedures available at refuge headquarters no later than August. We restrict hunters using a primitive firearm during this hunt access to areas where we allow modern firearms. We prohibit hunting and/or shooting into or across any reforested area during the quota hunt for deer. We require a quota hunt permit (Quota Deer Hunt Application, FWS Form 3–2354) for these hunts.

5. We will conduct guided quota youth deer hunts and guided quota deer hunts for full-time wheelchair users in the Greenlea Bend area typically in December and January. We will make hunt dates and permit application procedures (Quota Deer Hunt Application, FWS Form 3–2354) available at the refuge headquarters typically in July. For the guided quota youth hunts, we consider youth to be ages 8 through 15.

6. We will conduct a refuge-wide youth deer hunt. We will make hunt dates available at refuge headquarters typically in July. An adult at least age 18 must supervise youth hunters younger than age 16 during all hunts. One adult may supervise two youths during small game and migratory bird hunts but may supervise only one youth during big game hunts. Youth must remain within normal voice contact of the adult who is supervising them. Parents or adult guardians are responsible for ensuring that hunters younger than age 16 do not engage in conduct that would constitute violation of refuge regulations.

* * * * *

9. Conditions A1, A2, A4, A8, A9, A10, A11, and A12 apply.

* * * * *

14. We require deer hunters using primitive firearms or modern firearms to display 400 square inches (2,580.6 square centimeters) of solid hunter-orange consisting of a solid-hunter-orange cap on their head and a solid hunter-orange vest over their outermost garment covering their chest and back. Hunters must display the solid-hunter-orange items the entire time while in the field.

* * * * *

16. We allow hunting with slugs, rifle, or pistol ammunition larger than .22 caliber rimfire only during the quota hunts for deer. We prohibit use of buckshot when hunting. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

* * * * *

D. Sport Fishing. * * *

1. Anglers must possess and carry a signed refuge access permit (signed brochure) when fishing.

2. We require that all anglers must check-in/check-out daily at their closest entrance point using the Visitor Check-in Permit and Report (FWS Form 3–2405) for all recreational activities.

* * * * *

6. Conditions A8, A9, and A11 apply.

* * * * *

■ 15. Amend § 32.38 by:

■ a. Under Moosehorn National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A.

■ ii. Redesignating paragraphs B.1 through B.4 as B.3 through B.6, respectively.

■ iii. Adding paragraphs B.1 and B.2.

■ iv. Revising newly designated paragraph B.3.

■ v. Revising paragraphs C.1 and D.1.

■ vi. Redesignating paragraphs D.5 and D.6 as D.7 and D.8, respectively.

■ vii. Redesignating paragraph D.4 as D.5.

■ viii. Adding paragraphs D.4 and D.6.

■ ix. Revising newly designated D.7.

■ b. Under Rachel Carson National Wildlife Refuge:

■ i. Revising paragraph A.1.

■ ii. Revising paragraphs C.1 and C.7.

■ iii. Redesignating paragraphs D.10 through D.14 as D.11 through D.15, respectively.

■ iv. Adding paragraph D.10.

■ c. Revising paragraph C.6 under Umbagog National Wildlife Refuge.

The additions and revisions read as follows:

§ 32.38 Maine.

* * * * *

Moosehorn National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of duck, goose, American woodcock, and Wilson's snipe on designated areas of the Baring and Edmunds Division of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

B. Upland Gaming Hunting. * * *

1. We require every hunter to possess and carry a personally signed Big/

Upland Game Hunt Application (FWS Form 3–2356). Permits and regulations are available from the refuge in person during normal business hours (8 a.m. to 4:30 p.m. Monday through Friday; closed on holidays) or by contacting the Project Leader at (207) 454–7161, or by mail (Moosehorn National Wildlife Refuge, 103 Headquarters Road, Baring, ME 04694).

2. You must annually complete a Big Game Harvest Report (FWS Form 3–2359) and submit it by mail or in person at the refuge headquarters no later than 2 weeks after the close of the hunting season in March. If you do not comply with this requirement, we may suspend your future hunting privileges on Moosehorn National Wildlife Refuge.

3. Conditions A9, A11, and A12 apply.

* * * * *

C. Big Game Hunting. * * *

1. Conditions B1, B2, A11, and A12 apply.

* * * * *

D. Sport Fishing. * * *

1. We prohibit use of motorized or mechanized vehicles, boats, and equipment in designated Wilderness Areas. This includes all vehicles, boats, and items such as snowmobiles and motorized ice augers (Bearce and Conic Lakes).

* * * * *

4. We allow ice fishing in the following areas on the Baring Division of the refuge: Bearce Lake, Conic Lake, James Pond, and Vose Pond.

* * * * *

6. We allow ice fishing in the following areas on the Edmunds Division of the refuge: Hobart Lake (within the refuge boundary).

7. We prohibit fishing on the stretch of Moosehorn Stream on the Baring Division that lies west of the Charlotte Road and north of Moosehorn Ridge Road.

* * * * *

Rachel Carson National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. Prior to entering designated refuge hunting areas, you must obtain a Migratory Bird Hunt Application (FWS Form 3–2357), pay a recreation fee, and sign and carry the permit at all times.

* * * * *

C. Big Game Hunting. * * *

1. Prior to entering designated refuge hunting areas, you must obtain a Big/Upland Game Hunt Application (FWS Form 3–2356), pay a recreation fee and sign and carry the permit at all times. Conditions A.4 and A.7 apply.

* * * * *

7. We allow hunting of fox and coyote with archery or shotgun with a refuge big game permit, during State firearm deer season.

D. Sport Fishing. * * *

10. We allow car-top launching from legal sunrise to legal sunset at Little River division at the end of Granite Point Road into the Little River.

* * * * *

Umbagog National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

6. We allow only temporary tree stands and blinds, and they may be erected no earlier than August 1 and must be removed by December 31. We prohibit nails, screws, or screw-in climbing pegs to build or access a stand or blind (see § 32.2(i)). You must mark your tree stand and/or blind with your full name and address.

* * * * *

■ 16. Amend § 32.39 by:

■ a. Under Blackwater National Wildlife Refuge by:

■ i. Revising paragraphs A.1, A.2, A.3, A.4, A.5, A.10, and A.11.

■ ii. Revising paragraph C.

■ iii. Revising paragraphs D.3, and D.5.

■ b. Revising paragraphs C and D under Eastern Neck National Wildlife Refuge.

■ c. Under Patuxent Research Refuge:

■ i. Revising paragraph A.8.

■ ii. Revising the introductory text of paragraph A.9 and paragraphs A.9.iii and A.9.iv.

■ iii. Removing paragraph A.9.v.

■ iv. Revising paragraph A.12.

■ v. Revising the introductory text of paragraph B.

■ vi. Removing paragraphs B.5, B.6, B.7, B.8, B.9, and B.10.

■ vii. Revising paragraph C.

■ viii. Revising paragraphs D.1, D.2, D.4, D.5, D.6, D.14.ii, D.15.iv, and D.15.v.

■ ix. Removing paragraph D.15.vi.

■ x. Redesignating paragraphs D.15.vii and D.15.viii as D.15.vi and D.15.vii, respectively.

■ xi. Revising newly designated paragraph D.15.vi.d.

The additions and revisions read as follows:

§ 32.39 Maryland.

* * * * *

Blackwater National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. We require you to obtain a refuge waterfowl hunting permit using the Waterfowl Lottery Application (FWS Form 3–2355).

2. We require you to abide by the terms and conditions of the refuge permit and brochure. Hunters are subject to inspections by law enforcement officials and may have their permits revoked if they are found to be in violation of § 32.2 or other Federal and State laws.

3. We allow only hunters possessing a permit issued by the refuge to participate in the waterfowl hunt during designated days.

4. We require hunters to possess on their person a printed valid Maryland hunting license and all required stamps, a valid form of government-issued photo identification, and a printed valid hunting permit issued by the refuge at all times while on refuge property.

5. The use of common reed (*Phragmites australis*) in any manner is prohibited.

* * * * *

10. We allow the use of trained dogs by hunters to retrieve game on designated waterfowl hunt days. We require that hunters have dogs not engaged in retrieving waterfowl under control or confined to a vehicle, boat, kennel, blind area, or other container.

11. We require all hunters and hunt parties to remain within their designated hunt site or unit while hunting.

* * * * *

C. Big Game Hunting. We allow the hunting of white-tailed and sika deer and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We require you to obtain a deer or turkey hunting permit (Big/Upland Game Hunt Application, FWS Form 3–2356 or Quota Deer Hunt Application FWS Form 3–2354).

2. We allow only hunters possessing a valid permit issued by the refuge to hunt/scout during designated days.

3. We require hunters to possess on their person at all times while on refuge property, a printed valid Maryland hunting license and all required stamps, a valid form of government-issued photo identification, and a printed valid hunting permit issued by the refuge.

4. We require hunters to notify and receive permission from a Service law enforcement officer, refuge manager, or designee if they need to enter a refuge closed area to retrieve game.

5. We prohibit the use of rimfire or centerfire rifles and all handguns, including muzzleloading pistols, for hunting.

6. We prohibit the use of boats, flotation devices, all-terrain vehicles (ATVs), motorized off-road vehicles, and amphibious vehicles to access the refuge unless authorized by the refuge manager for use by disabled hunters.

7. We prohibit screw-in steps, spikes, or other objects that may damage trees (see § 32.2(i)).

8. We prohibit hunting from a permanently constructed tree stand or blind.

9. We allow the use of temporary tree stands and blinds for hunting. All stands and blinds left on refuge property, unoccupied, must be tagged in plain sight with your permit number and the years that are printed on your permit. We require you to remove all stands and blinds by legal sunset of a date established annually by the refuge manager. We are not responsible for damage, theft, or use of the stand by other hunters (see § 27.93 of this chapter).

10. We prohibit organized deer drives, unless otherwise authorized by the refuge manager.

11. Hunters may use marking devices, including flagging or tape, but they must remove them by legal sunset of date established annually by the refuge manager (see § 27.93 of this chapter). We prohibit paint or any other permanent marker to mark trails.

12. We require all disabled hunters to provide certification of their disability.

13. Disabled persons may have an assistant during the hunt in designated areas of the refuge. Persons assisting disabled hunters must be at least age 18 and obey all refuge, State, and Federal laws and regulations. Persons assisting disabled hunters must not be afield with a hunting firearm, bow, or other hunting device.

14. Hunters may use bicycles to access hunt areas on designated hunt/scout days. We prohibit hunters taking bicycles off of designated roads and trails while on refuge lands.

15. We require that you abide by the terms and conditions of the refuge permit and brochure. Hunters are subject to inspection by law enforcement officials and may have their permits revoked if we find them to be in violation of § 32.2 or other Federal and State laws.

16. We prohibit shooting a projectile from a firearm, muzzleloader, bow, or crossbow from, down, or across any refuge road.

17. We require you to make a reasonable effort to retrieve all wounded or killed game and include it in your daily bag limit. We prohibit leaving deer entrails or other waste within 50 feet (15.2 meters) of any road, trail, or refuge structure on the refuge.

18. We require that all deer harvested be checked in at the refuge-sponsored check station during hunt days when the refuge-sponsored check station is being operated. If you fail to check your deer during the check station business hours, you must report your harvest through the State-sponsored big game check-in system within 24 hours of harvest.

19. We prohibit parking in front of any open or closed gate. Parked vehicles may not impede any road traffic.

*D. Sport Fishing.** * *

3. We require you to possess a printed valid Maryland sport fishing license, all required stamps, and a valid form of government-issued photo identification while fishing on the refuge. We do not require a refuge permit to fish on the refuge.

* * * * *

5. We prohibit boat launching from refuge lands except from the car-top boat launch located near the Blackwater River Bridge on Route 335.

* * * * *

Eastern Neck National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State hunting regulations and subject to the following conditions:

1. We require you to obtain a deer or turkey hunting permit using the Big/Upland Game Hunt Application (FWS Form 3–2356).

2. We allow only hunters possessing a valid permit issued by the refuge to hunt/scout during designated days.

3. We require hunters to possess on their person at all times while on refuge property a printed valid Maryland hunting license and all required stamps, and a valid form of government-issued photo identification. On scout days, we require hunters to place their printed refuge permit on the dash of their vehicle in plain view. On hunt days, we require hunters to have a printed valid refuge permit on their person.

4. We require hunters to notify and receive permission from a Service law enforcement officer, refuge manager, or designee if they need to enter a closed area to retrieve game.

5. We prohibit the use of rimfire or centerfire rifles and all handguns, including muzzleloading pistols, for hunting.

6. We prohibit the use of boats, flotation devices, all-terrain vehicles (ATVs), motorized off-road vehicles, and amphibious vehicles to access the refuge, unless authorized by the refuge manager for use by disabled hunters.

7. We prohibit screw-in steps, spikes, or other objects that may damage trees (see § 32.2(i)).

8. We prohibit hunting from a permanently constructed tree stand or blind.

9. We allow the use of temporary tree stand and blinds for hunting. All stands and blinds left on refuge property, unoccupied, must be tagged in plain sight with your permit number and the years that are printed on your permit. We require you to remove all stands and blinds by legal sunset of a date established annually by the refuge manager. We are not responsible for damage, theft, or use of the stand by other hunters (see § 27.93 of this chapter).

10. We allow use of marking devices, including flagging or tape, but hunters must remove them by legal sunset of a date established annually by the refuge manager (see § 27.93 of this chapter). We prohibit paint or any other permanent marker to mark trails.

11. We require all disabled hunters to provide certification of their disability.

12. Disabled persons may have an assistant during the hunt on designated areas of the refuge. Persons assisting disabled hunters must be at least age 18 and obey all refuge, State, and Federal laws and regulations. Persons assisting disabled hunters must not be afield with a hunting firearm, bow, or other hunting device.

13. We require that you abide by the terms and conditions of the refuge permit and brochure. Hunters are subject to inspection by law enforcement officials and may have their permits revoked if we find them to be in violation of § 32.2 or other Federal and State laws.

14. We allow parking only in designated parking areas.

15. We prohibit shooting a projectile from a firearm, muzzleloader, bow, or crossbow from, down, or across any refuge road.

16. We require you to make a reasonable effort to retrieve all wounded or killed game and include it in your daily bag limit. We prohibit leaving deer entrails or other waste within 50 feet (15.2 meters) of any road, trail, or refuge structure on the refuge.

17. We prohibit parking in front of any open or closed gate. Parked vehicles may not impede any road traffic.

D. Sport Fishing. We allow fishing and crabbing in designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow fishing and crabbing from the Eastern Neck Island Bridge and the Tundra Swan Boardwalk.

2. We allow fishing and crabbing from designated shore line areas located at the Ingleside Recreation Area from legal

sunrise to legal sunset, April 1 through September 30.

3. We allow fishing from designated shoreline areas located at the Chester River end of Boxes Point and Duck Inn Trails from legal sunrise to legal sunset.

4. We require you to possess a printed valid Maryland sport fishing license and all required stamps, and valid form of government-issued photo identification while fishing on the refuge. We do not require a refuge permit to fish on the refuge.

5. We require anglers to attend all fish and crab lines.

6. We prohibit boat launching from refuge lands except for canoes/kayaks at the canoe/kayak ramp located at the Ingleside Recreation Area.

Patuxent Research Refuge

A. Migratory Game Bird Hunting. * * *

8. We restrict you to the selected area until you check-out at the HCS.

9. We prohibit hunting on or across any road (paved, gravel, dirt, opened and/or closed) or within 50 yards (45.7 meters) of a road (paved, gravel, dirt, opened and/or closed), within 150 yards (137.2 meters) of any building or shed, and within 25 yards (22.5 meters) from any designated ''No Hunting'' and ''Safety Zone'' areas, except:

* * * * *

iii. You may hunt waterfowl (goose/duck) from any permanent photo/hunt blind on North Tract.

iv. You may hunt from the roadside, except on the Wildlife Loop and Bald Eagle Drive, at designated areas, if you possess a Maryland Department of Natural Resources issued ''Universal Disability Pass.''

* * * * *

12. We prohibit hunting of goose, duck, and dove during the deer firearms seasons and the early muzzleloader season. The only exceptions are that Blue Heron Pond, Lake Allen, and Area Z will remain open for duck hunters and the Junior Waterfowl hunt day during the early muzzleloader season.

* * * * *

B. Upland Game Hunting. We allow hunting of gray squirrel, eastern cottontail rabbit, and woodchuck on the North Tract and turkey on the Central Tract in accordance with State regulations and subject to the following conditions:

* * * * *

C. Big Game Hunting. We allow hunting of turkey on North Tract only and white-tailed deer on the North, Central, and South Tracts in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A10i apply.

2. Spring turkey hunters are exempt from wearing hunter orange.

3. We allow the use of bow and arrow for turkey hunting.

4. We require turkey hunters to use #4, #5, or #6 nontoxic shot or vertical bows (see § 32.2(k)).

5. We select turkey hunters by a lottery for youth, disabled, and general public hunts. We require Maryland Department of Natural Resources-required documentation to accommodate hunters with disabilities.

6. We require turkey hunters to pattern their weapons prior to hunting. Contact refuge headquarters for more information.

7. Prior to issuing a hunt permit, we require you to pass a yearly proficiency test with each weapon used. See A1 for issuing information.

8. We only allow the use of a shotgun, muzzleloader, or bow and arrow according to refuge hunting regulations.

9. We require hunters to secure longbows, recurve bows, compound bows, and crossbows in accordance with State regulations.

10. We prohibit possession or use of buckshot for hunting.

11. We require bow hunters to wear fluorescent-orange color in accordance with State regulations when moving to and from their vehicle to their deer stand or their hunting spot and while tracking or dragging out their deer. We do not require bow hunters to wear fluorescent-orange when in position to hunt except during the North Tract Youth Firearms Deer Hunts, the muzzleloader seasons, and the firearms seasons, when they must wear it at all times. You must wear fluorescent orange when stalking or ''still hunting.''

12. All bucks harvested must have a 15-inch (37.5-centimeter) minimum outside antler spread.

13. We allow hunting in the Schafer Farm, Central Tract, and South Tract. You must hunt using a portable tree stand, which must be at least 10 feet (3 meters) off the ground and equipped with a full-body safety harness. You must wear the full-body safety harness while in the tree stand. We will make limited accommodations for disabled hunters for Central Tract lottery hunts.

14. We allow hunting in the North Tract. You may hunt from the ground or using a portable tree stand. You must wear a full-body safety harness while in the tree stand.

15. We prohibit the use of dogs to hunt or track wounded deer.

16. If you wish to track wounded deer beyond 2 hours after legal sunset, you must gain consent from a Federal wildlife officer. We prohibit tracking 3 hours after legal sunset. You must make a reasonable effort to retrieve the wounded deer, which includes next-day tracking. There is no tracking on Sundays and Federal holidays except on a case-by-case basis. Hunters authorized to track on Sundays or Federal holidays must be accompanied afield by a Federal wildlife officer.

17. We prohibit deer drives or anyone taking part in any deer drive. We define a ''deer drive'' as an organized or planned effort to pursue, drive chase, or otherwise frighten or cause deer to move in the direction of any person or persons who are part of the organized or planned hunt and known to be waiting for the deer. We also prohibit organized deer drives without a standing hunter.

18. North Tract: We allow shotgun, muzzleloader, and bow hunting in accordance with the following: Conditions C1 through C17 apply.

19. Central Tract: Headquarters/MR Lottery Hunt: We only allow shotgun and bow hunting in accordance with the following: Conditions C1 through C16 apply (except C8).

20. South Tract: We allow shotgun, muzzleloader, and bow hunting in accordance with the following:

i. Conditions C1 through C17 apply.

ii. You must access South Tract hunting areas A, B, and C off Springfield Road through the Old Beltsville Airport; and South Tract hunting area D from MD Rt. 197 through Gate #4. You must park in designated parking areas.

iii. We prohibit driving or parking along the entrance and exit roads to and from the National Wildlife Visitor Center, and parking in the visitor center parking lot when checked in to hunt any area.

D. Sport Fishing. * * *

1. We require all anglers, age 16 and older, to present their current Maryland State nontidal fishing license and complete the Fishing/Shrimping/Crabbing Application (FWS Form 3–2358). Anglers age 18 and older will receive a free Patuxent Research Refuge Fishing Pass. Organized groups must complete the Fishing/Shrimping/Crabbing Application (FWS Form 3–2358), and the group leader must stay with the group at all times while fishing.

2. We publish the refuge fishing regulations, which include the daily and yearly creel limits and fishing dates, in early January. We provide a copy of the regulations with your free Fishing Pass, and we require you to know the specific fishing regulations.

* * * * *

4. Anglers must display the Fishing Pass in the vehicle windshield while fishing.

5. We require anglers, ages 16 and 17, to have a parent or guardian cosign the Fishing/Shrimping/Crabbing Application (FWS From 3–2358).

6. An adult age 21 or older possessing a Fishing Pass must accompany anglers age 17 or younger in the field; they must maintain visual contact with each other within a 50-yard (45.7-meters) distance; and they may take 3 youths, age 15 or younger, to fish under their Fishing Pass.

* * * * *

14. * * *

ii. We allow sport fishing year-round at Lake Allen, Blue Heron Pond, Rieve's Pond, New Marsh, Cattail Pond, and Little Patuxent River (downstream only from Bailey's Bridge) except Mondays through Saturdays September 1 through January 31 during the hunting season. We also reserve the right to close Lake Allen at any time.

* * * * *

15. * * *

iv. Anglers may fish from April 1 until mid-October, as posted.

v. We allow fishing legal sunrise to legal sunset.

vi. * * *

d. Maryland State law requires personal flotation devices and whistle and/or horn in boats.

* * * * *

§ 32.41 [Amended]

■ 17. Amend § 32.41 by removing paragraphs B.1 and B.2, and redesignating paragraph B.3 as B.1 under Seney National Wildlife Refuge.

■ 18. Amend § 32.42 by:

■ a. Under Big Stone National Wildlife Refuge:

■ i. Revising paragraphs B.1 and B.4.

■ ii. Redesignating paragraphs B.5 and B.6 as B.6 and B.7, respectively.

■ iii. Adding paragraph B.5.

■ iv. Removing paragraph C.4.

■ v. Redesignating paragraph C.5 as C.4.

■ vi. Revising newly designated paragraph C.4.

■ b. Under Big Stone Wetland Management District:

■ i. Adding paragraph A.6.

■ ii. Revising paragraph B.

■ c. Under Detroit Lakes National Wildlife Refuge:

■ i. Adding paragraph A.6.

■ ii. Revising paragraph B.

■ d. Under Fergus Falls Wetland Management District;

■ i. Adding paragraph A.7.

■ ii. Revising paragraph B.

■ e. Under Glacial Ridge National Wildlife Refuge:

■ i. Adding paragraph A.3.

■ ii. Revising paragraph B.2.

■ iii. Removing paragraph B.3.

■ f. Under Litchfield Wetland Management District:

■ i. Adding paragraph A.6.

■ ii. Revising paragraph B.

■ g. Under Minnesota Valley National Wildlife Refuge:

■ i. Revising paragraphs A.5 and A.6.

■ ii. Adding paragraphs A.7, A.8, and A.9.

■ iii. Revising paragraphs B and C.

■ iv. Revising the introductory text of paragraph D and paragraphs D.3 and D.4.

■ v. Adding paragraph D.5.

■ h. Under Morris Wetland Management District:

■ i. Adding paragraph A.5.

■ ii. Revising paragraph B.

■ i. Under Northern Tallgrass Prairie National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A and paragraph A.1.

■ ii. Adding paragraph A.9.

■ ii. Revising the introductory text of paragraph B and paragraph B.4.

■ iii. Revising the introductory text of paragraph C and paragraph C.2.

■ iv. Adding paragraph C.4.

■ j. Under Rice Lake National Wildlife Refuge:

■ i. Revising the introductory text of paragraph C.

■ ii. Removing paragraph C.4.

■ iii. Redesignating paragraph C.5 as C.4.

■ iv. Revising the introductory text of paragraph D.

■ v. Removing paragraph D.2.

■ vi. Redesignating paragraphs D.3 and D.4 as D.2 and D.3, respectively.

■ k. Under Sherburne National Wildlife Refuge:

■ i. Revising paragraph A.2.

■ ii. Adding paragraph A.8.

■ iii. Revising paragraphs B.3 and C.7.

■ iv. Removing paragraph C.8.

■ v. Revising the introductory text of paragraph D.

■ l. Under Tamarac National Wildlife Refuge:

■ i. Adding paragraph A.5.

■ ii. Revising paragraphs B.2, B.3, and B.5.

■ iii. Redesignating paragraph D.6 as D.7.

■ iv. Adding paragraph D.6.

■ m. Under Upper Mississippi River National Wildlife and Fish Refuge:

■ i. Redesignating paragraphs A.12 through A.17 as A.14 through A.19, respectively.

■ ii. Adding paragraph A.13.

■ iii. Revising newly designated paragraphs A.16 and A.17.

■ iv. Removing paragraph A.11.

■ v. Redesignating paragraphs A.5 through A.10 as A.7 through A.12, respectively.

■ vi. Adding paragraph A.6.

■ vii. Revising newly designated paragraphs A.10 and A.12

■ viii. Redesignating paragraphs A.2 through A.4 as A.3 through A.5, respectively.

■ ix. Adding paragraph A.2.

■ x. Revising newly designated paragraph A.5.

■ xi. Revising paragraphs B and C.

■ xii. Redesignating paragraphs D.1 through D.6 as D.2 through D.7, respectively.

■ xiii. Adding paragraph D.1.

■ xiv. Revising newly designated paragraphs D.3, D.6, and D.7.

■ xv. Adding paragraph D.8.

■ n. Under Windom Wetland Management District:

■ i. Adding paragraph A.6.

■ ii. Revising paragraph B.

■ iii. Revising paragraph C.1.

The additions and revisions read as follows:

§ 32.42 Minnesota.

* * * * *

Big Stone National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

1. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

* * * * *

4. You may only hunt fox and raccoon from ½ hour before legal sunrise until legal sunset in accordance with the beginning of the State season through the last day of February.

5. You may only hunt striped skunk from ½ hour before legal sunrise until legal sunset from September 1 through the last day of February.

* * * * *

C. Big Game Hunting. * * *

4. Conditions B6 and B7 apply. Condition B1 applies only to wild turkey.

* * * * *

Big Stone Wetland Management District

A. Migratory Game Bird Hunting. * * *

6. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow upland game hunting throughout the district in accordance with State regulations and subject to the following condition: Conditions A3 through A6 apply.

* * * * *

Detroit Lakes Wetland Management District

A. Migratory Game Bird Hunting. * * *

6. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow upland game hunting in accordance with State regulations throughout the district (except that we allow no hunting on the refuge headquarters Waterfowl Production Area [WPA] in Becker County, the Hitterdal WPA in Clay County, and the McIntosh WPA in Polk County) and subject to the following condition: Conditions A3 through A6 apply.

* * * * *

Fergus Falls Wetland Management District

A. Migratory Game Bird Hunting. * * *

7. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow upland game hunting throughout the district (except that we prohibit hunting on the Townsend, Mavis, Gilmore, and designated portions of Knollwood Waterfowl Production Areas (WPAs) in Otter Tail County, and Larson WPA in Douglas County) in accordance with State regulations and subject to the following condition: Conditions A2, A3, A6, and A7 apply.

* * * * *

Glacial Ridge National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

3. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. * * *

2. Conditions A2 and A3 apply.

* * * * *

Litchfield Wetland Management District

A. Migratory Game Bird Hunting. * * *

6. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow upland game hunting throughout the district (except we prohibit hunting on that part of the Phare Lake Waterfowl Production Area in Renville County) in accordance with State regulations and subject to the following condition: Conditions A1, A4, A5, and A6 apply.

* * * * *

Minnesota Valley National Wildlife Refuge

A. Migratory Bird Hunting. * * *

5. We prohibit entry into the refuge earlier than 2 hours before legal shooting time and require hunters to leave the refuge no later than 1 hour after legal shooting time.

6. We prohibit camping.

7. We allow the use of hunting dogs, provided the dog is under the immediate control of the hunter at all times during the State-approved hunting season (see § 26.21(b) of this chapter).

8. We prohibit hunting during the State spring goose hunt.

9. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow hunting of ruffed grouse, gray partridge, ring-necked pheasant, American crow, squirrel (gray, fox, and red), snowshoe hare, cottontail rabbit, jackrabbit, raccoon, fox (red and gray), striped skunk, coyote, opossum, and wild turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A7 and A9 apply.

2. We prohibit single projectile ammunition for hunting upland game and furbearers, except that we allow hunters to use small-caliber rimfire rifles and handguns (.22 caliber and smaller) on designated areas of the refuge.

3. We prohibit the use of dogs for hunting furbearers.

4. You may only hunt fox, opossum, and raccoon from ½ hour before legal sunrise until legal sunset, in accordance with the beginning of the State season through the last day of February, on designated areas of the refuge.

5. You may only hunt coyotes and skunks from ½ hour before legal sunrise until legal sunset, from September 1 through the last day of February, on designated areas of the refuge.

6. You may only hunt crow during the State's fall crow season, on designated areas of the refuge.

7. We require hunters to wear at least one article of blaze-orange clothing visible above the waist.

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A6 apply.

2. Hunters must remove all personal property, which include portable stands, climbing sticks, decoys, game cameras, and blinds, brought onto the refuge each day (see §§ 27.93 and 27.94 of this chapter).

D. Sport Fishing. We allow sport fishing on designated areas of the refuge during daylight hours in accordance with State regulations and subject to the following conditions:

* * * * *

3. You must remove all ice fishing shelters and all other personal property from the refuge each day (see §§ 27.93 and 27.94 of this chapter).

4. We prohibit the taking of any turtle, frog, leech, minnow, crayfish, and mussel (clam) species by any method on the refuge (see § 27.21 of this chapter).

5. Condition A6 applies.

* * * * *

Morris Wetland Management District

A. Migratory Game Bird Hunting. * * *

5. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow hunting of upland game, except that we prohibit hunting on the designated portions of the Edward-Long Lake Waterfowl Production Area in Stevens County, in accordance with State regulations and subject to the following condition: Conditions A2 through A5 apply.

* * * * *

Northern Tallgrass Prairie National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of duck, goose, merganser, moorhen, coot, rail (Virginia and sora only), woodcock, common snipe, mourning dove, and sandhill crane in accordance with State regulations and subject to the following conditions:

1. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

* * * * *

9. For the Spieker tract in Clay County, you must follow the Clay County Game Refuge regulations.

B. Upland Game Hunting. We allow hunting of ring-necked pheasant, Hungarian partridge, prairie chicken, spruce grouse, ruffed grouse, sharp-

tailed grouse, rabbit (cottontail and jack), snowshoe hare, squirrel (fox and gray), raccoon, opossum, fox (red and gray), badger, coyote, bobcat, striped skunk, and crow on designated areas in accordance with State regulations and subject to the following conditions:

* * * * *

4. Conditions A1, A7, and A8 apply.

C. Big Game Hunting. We allow hunting of deer, elk, black bear, and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

2. Conditions A3, A5, A7, and A8 apply. Condition A1 applies only to wild turkey.

* * * * *

4. We prohibit the use and distribution of bait and hunting over bait (see § 32.2(h)).

* * * * *

Rice Lake National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

Sherburne National Wildlife Refuge

A. *Migratory Game Bird Hunting.* * * *

2. We allow only nonmotorized boats, and they must be launched at designated access sites.

* * * * *

8. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. *Upland Game Hunting.* * * *

3. Conditions A6 through A8 apply.

C. Big Game Hunting. * * *

7. Conditions A4 and A7 apply. Condition A8 applies to wild turkey only.

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

Tamarac National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

5. For hunting, you may use or possess only approved nontoxic shot shells while in the field (see § 32.2(k)).

B. Upland Game Hunting. * * *

2. You may only hunt fox and raccoon from ½ hour before legal sunrise until legal sunset from the beginning of the State season through the last day of February.

3. You may only hunt striped skunk from ½ hour before legal sunrise until legal sunset from September 1 through the last day of February.

* * * * *

5. Conditions A3 through A5 apply.

* * * * *

D. Sport Fishing. * * *

6. We prohibit motorized vehicles on frozen water bodies.

* * * * *

Upper Mississippi River National Wildlife and Fish Refuge

A. Migratory Game Bird Hunting. * * *

2. In areas posted and shown on maps as ''Closed to All Access,'' we prohibit public entry, to include hunting and fishing, at all times. This area is named and located as follows: Crooked Slough Backwater, Pool 13, Illinois, 2,453 acres.

* * * * *

5. In areas posted and shown on maps as ''No Hunting Zone'' or ''No Hunting or Trapping Zone,'' we prohibit migratory bird hunting at all times. These areas are named and located as follows:

i. Buffalo River, Pool 4, Wisconsin, 219 acres.

ii. Fountain City Bay, Pool 5A, Wisconsin, 24 acres.

iii. Upper Halfway Creek Marsh, Pool 7, Wisconsin, 143 acres.

iv. Brice Prairie Tract, Pool 7, Wisconsin, 186 acres.

v. Hunter's Point, Pool 8, Wisconsin, 82 acres.

vi. Goose Island, Pool 8, Wisconsin, 984 acres (also no motors and voluntary avoidance as in condition A3).

vii. Sturgeon Slough, Pool 10, Wisconsin, 66 acres.

viii. Goetz Island Trail, Pool 11, Iowa, 31 acres.

ix. Crooked Slough Proper, Pool 13, Illinois, 270 acres.

x. Frog Pond, Pool 13, Illinois, 64 acres.

xi. Ingersoll Wetlands Learning Center, Pool 13, Illinois, 41 acres.

xii. Amann Tract, Pool 7, Wisconsin, 0.21 acre.

xiii. Lost Mound Unit Office and River Road, Pool 13, Illinois, 175 acres.

6. In the area posted and shown on maps as ''Mesquaki Lake No Hunting Zone,'' Pool 13, Illinois, we prohibit hunting migratory birds from April 1 to September 30.

* * * * *

10. You may use or possess only approved nontoxic shot shells while hunting on the refuge (see § 32.2(k)).

* * * * *

12. We prohibit the construction of permanent hunting blinds (see § 27.92 of this chapter). You may use natural material for temporary blinds, with restrictions. You may hunt from a boat blind, pop-up blind, or construct a temporary blind of natural materials. You may gather grasses and marsh vegetation (*e.g.,* willow, cattail, bulrush, lotus, and/or arrowhead) from the refuge for blind-building materials. However, you may not gather, bring onto the refuge, or use for blind building, tree(s) or other plant parts, including dead wood on the ground, greater than 2 inches (5 centimeters) in diameter. Nonnative species may not be gathered from nor brought onto the refuge for building or brushing temporary blinds (*e.g.,* Phragmites (giant cane)). We prohibit constructing hunting blinds from rocks placed for shoreline protection (rip rap). You may leave only temporary blinds made entirely of natural vegetation and biodegradable twines on the refuge. We consider all such blinds public property and open to use by any person on a first-come, first-served basis. At the end of each day's hunt, you must remove all manmade blind materials, including boat blinds. Any blinds containing manmade materials left on the refuge are subject to immediate removal and disposal. Manmade materials include, but are not limited to, wooden pallets, metal fence posts, wire, nails, staples, netting, or tarps (see §§ 27.93 and 27.94 of this chapter). We prohibit occupying or using any blind made with unauthorized materials.

13. We require a 200-yard (182.9-meter) spacing distance between hunting parties on the Illinois portions of the refuge in Pools 12, 13, and 14.

* * * * *

16. We prohibit camping beginning the day before the opening of waterfowl hunting seasons within areas posted ''No Entry—Sanctuary,'' ''Area Closed,'' ''Area Closed—No Motors,'' and ''No Hunting Zone'' or on any sites not clearly visible from the main commercial navigation channel of the Mississippi River. We define camping as erecting a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, or mooring or anchoring of a vessel for the apparent purpose of overnight occupancy, or occupying or leaving personal property, including boats or other craft, at a site anytime between the hours of 11 p.m.

and 3 a.m. on any given day. Where we allow camping, you must occupy claimed campsites each night.

17. We prohibit the building or use of warming fires while hunting (see § 27.95 of this chapter). We only allow campfires in conjunction with camping, day-use activities on beaches, or on the ice while ice fishing using only dead wood on the ground, or materials brought onto the refuge such as charcoal or firewood. However, transport of firewood must be in accordance with State or county regulations. We prohibit use of firewood originating more than 50 miles from the refuge unless certified as pest-free. You must remove any unused firewood brought onto the refuge upon departure due to threat of invasive insects.

* * * * *

B. Upland Game Hunting. We allow hunting of upland game on areas of the refuge designated by the refuge manager and shown on maps available at refuge offices in accordance with State regulations. We prohibit upland game hunting from March 16 through August 31 each year except for spring wild turkey hunting, and squirrel hunting on the Illinois portion of the refuge. All upland game hunting is subject to the following conditions:

1. Conditions A1 and A2 apply.

2. We prohibit the discharging of firearms (including dog training pistols and dummy launchers), air guns, or any other weapons on the refuge, unless you are a licensed hunter or trapper engaged in authorized activities during established seasons, in accordance with Federal, State, and local regulations. We prohibit target practice on the refuge (see §§ 27.42 and 27.43 of this chapter).

3. In areas posted and shown on maps as ''No Entry—Sanctuary,'' we prohibit entry and upland game hunting at all times. In areas posted and shown on maps as ''No Entry—Sanctuary October 1 to end of state duck hunting season,'' we allow upland game hunting beginning the day after the respective State duck hunting season until upland game season closure or March 15, whichever comes first, except we allow spring turkey hunting during State seasons. We describe these areas more fully in Condition A3.

4. In areas posted and shown on maps as ''Area Closed'' and ''Area Closed—No Motors,'' we allow upland game hunting beginning the day after the respective State duck hunting season until upland game season closure or March 15, whichever comes first, except we allow spring turkey hunting during State seasons. We ask that you practice voluntary avoidance of these areas by any means or for any purpose from October 15 to the end of the respective State duck season. In areas also marked ''Area Closed—No Motors,'' we prohibit the use of motors on watercraft from October 15 to the end of the respective State duck season. We describe these areas more fully in Condition A4.

5. In areas posted and shown on maps as ''No Hunting Zone'' or ''No Hunting or Trapping Zone,'' we prohibit upland game hunting at all times. We describe these areas more fully in Condition A5.

6. We prohibit hunting of upland game within 50 yards (45.7 meters) of the Great River Trail at Thomson Prairie, within 150 yards (137.2 meters) of the Great River Trail at Mesquaki Lake, and within 400 yards (365.8 meters) of the Potter's Marsh Managed Hunt area, all in or near Pool 13, Illinois.

7. In the area posted and shown on maps as ''Mesquaki Lake No Hunting Zone,'' Pool 13, Illinois, we prohibit hunting upland game from April 1 to September 30.

8. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

9. We prohibit the shining of a light to locate any animal on the refuge except at the point of kill for species specified in respective State night or artificial light hunting regulations (see § 27.73 of this chapter). You may use lights to find your way. We prohibit the distribution of bait or feed, the hunting over bait or feed, and the use or possession of any drug on any arrow for bow hunting (see § 32.2(g) and (h)). You must comply with all other hunt method regulations of the respective State on the refuge.

10. Conditions A8, A11, A12, and A14 through A19 apply.

C. Big Game Hunting. We allow hunting of big game on areas of the refuge designated by the refuge manager and shown on maps available at refuge offices in accordance with State regulations. We prohibit big game hunting from March 16 through August 31 each year. In areas closed to public access on the Lost Mound Unit of Savanna District, Illinois, we permit firearm deer hunts by youth and disabled hunters in accordance with procedures and regulations established by the refuge manager. Special regulations are in effect that identify specific hunt sites and restrict hunter's movements, access, and firearms/ammunition that may be used by special hunt participants. All big game hunting is subject to the following conditions:

1. Conditions A1, A2, and B2 apply.

2. In areas posted and shown on maps as ''No Entry—Sanctuary,'' we prohibit entry and big game hunting at all times. In areas posted and shown on maps as ''No Entry—Sanctuary October 1 to end of state duck hunting season,'' we allow big game hunting beginning the day after the respective State duck hunting season until big game season closure or March 15, whichever comes first. We describe these areas more fully in Condition A3.

3. In areas posted and shown on maps as ''Area Closed'' and ''Area Closed—No Motors,'' we allow big game hunting beginning the day after the respective State duck hunting season until big game season closure or March 15, whichever comes first. We ask that you practice voluntary avoidance of these areas by any means or for any purpose from October 15 to the end of the respective State duck season. In areas also marked ''Area Closed—No Motors,'' we prohibit the use of motors on watercraft from October 15 to the end of the respective State duck season. These areas are described more fully in Condition A4.

4. In areas posted and shown on maps as ''No Hunting Zone'' or ''No Hunting or Trapping Zone,'' we prohibit big game hunting at all times. We describe these areas more fully in Condition A5.

5. We prohibit hunting of big game within 50 yards (45.7 meters) of the Great River Trail at Thomson Prairie, within 150 yards (137.2 meters) of the Great River Trail at Mesquaki Lake, and within 400 yards (365.8 meters) of the Potter's Marsh Managed Hunt area, all in or near Pool 13, Illinois.

6. In the area posted and shown on maps as ''Mesquaki Lake No Hunting Zone,'' Pool 13, Illinois, we prohibit hunting big game from April 1 to September 30.

7. Conditions A8, A11, A12, A14 through A19, and B8 and B9 apply.

8. On refuge-managed lands in Illinois, we prohibit organized drives for deer. A deer drive is defined as a deliberate action by one or more persons, whether armed or unarmed, on foot or with the aid of a conveyance, whose intent is to cause deer to move within shooting range of one or more participating hunters.

D. Sport Fishing. * * *

1. Condition A2 applies.

* * * * *

3. In the Spring Lake ''No Entry—Sanctuary, October 1 to end of State duck hunting season'' area, Pool 13, Illinois, we prohibit fishing from October 1 until the day after the close of the State duck hunting season.

* * * * *

6. For the purpose of determining length limits, slot limits, and daily creel limits, the impounded areas of Spring Lake and Duckfoot Marsh in Pool 13, Illinois, and Pleasant Creek in Pool 13, Iowa, are part of the Mississippi River site-specific State regulations.

7. Conditions A12, and A15 through A19 apply.

8. Commercial fishing in Spring Lake and Crooked Slough, Pool 13, Illinois, requires a Special Use Permit (Permit Application Form: National Wildlife Refuge System Commercial Special Use, FWS Form 3–1383–C) issued by the refuge or district manager (see § 31.13 of this chapter).

Windom Wetland Management District

A. Migratory Game Bird Hunting. * * *

6. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow hunting of upland game throughout the district, except that you may not hunt on the Worthington Waterfowl Production Area (WPA) in Nobles County or designated portions of the Wolf Lake WPA in Cottonwood County, in accordance with State regulations and subject to the following condition: Conditions A3 through A6 apply.

C. Big Game Hunting. * * *

1. We prohibit hunting on the Worthington WPA in Nobles County and designated portions of the Wolf Lake WPA in Cottonwood County.

* * * * *

■ 19. Amend § 32.43 by:

■ a. Under Coldwater National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A and paragraphs A.1 and A.3.

■ ii. Removing paragraph A.6.

■ iii. Redesignating paragraphs A.7 through A.11 as A.6 through A.10, respectively.

■ iv. Revising newly designated paragraphs A.6 and A.8.

■ v. Adding paragraph A.11.

■ b. Under Dahomey National Wildlife Refuge:

■ i. Revising paragraphs A.1 and A.3.

■ ii. Removing paragraph A.6.

■ iii. Redesignating paragraphs A.7 through A.12 as A.6 through A.11, respectively.

■ iv. Revising newly designated paragraphs A.7 and A.9.

■ v. Adding paragraph A.12.

■ c. Revising the entry for Hillside National Wildlife Refuge.

■ d. Revising paragraphs B and C under Holt Collier National Wildlife Refuge.

■ e. Revising the entry for Mathews Brake National Wildlife Refuge.

■ f. Revising the entry for Morgan Brake National Wildlife Refuge.

■ g. Revising the entry for Panther Swamp National Wildlife Refuge.

■ h. Revising the entry for Sam D. Hamilton Noxubee National Wildlife Refuge.

■ i. Under St. Catherine Creek National Wildlife Refuge:

■ i. Revising paragraphs A.2, A.6, B.1, and C.10.

■ ii. Removing paragraph D.1.

■ iii. Redesignating paragraphs D.2 through D.8 as D.1 through D.7, respectively.

■ iv. Revising newly designated paragraph D.7.

■ j. Under Tallahatchie National Wildlife Refuge:

■ i. Revising paragraphs A.1 and A.3.

■ ii. Removing paragraph A.7.

■ iii. Redesignating paragraphs A.8 through A.13 as A.7 through A.12, respectively.

■ iv. Revising newly designated paragraph A.10.

■ v. Adding paragraph A.13.

■ k. Revising paragraphs A, B, and C under Yazoo National Wildlife Refuge.

The additions and revisions read as follows:

§ 32.43 Mississippi.

* * * * *

Coldwater National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of migratory waterfowl, coot, snipe, and woodcock on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. All hunters must comply with all State hunter education requirements. All hunters age 16 years and older must possess and carry a valid, signed refuge hunting permit (signed brochure). All persons younger than age 16, while hunting on the refuge, must be in the presence and under the direct supervision of a licensed or exempt hunter at least age 21, when hunting. A licensed hunter supervising a youth as provided in this section must hold all required licenses and permits.

* * * * *

3. We allow hunting of migratory game birds, including the Light Goose Conservation Order, on Wednesday, Saturdays, and Sundays from ½ hour before legal sunrise and ending at 12 p.m. (noon). Hunters must remove all decoys, blind materials (see § 27.93 of this chapter), and harvested waterfowl from the area no later than 1 p.m. each day.

* * * * *

6. During the refuge deer firearm season, including primitive weapons hunt and the youth gun hunt, all hunters and visitors on the refuge, except waterfowl hunters and nighttime raccoon hunters, must wear in full view a minimum of 500 square inches (3,225.8 square centimeters) of solid, unbroken fluorescent orange. When hunting quail or rabbit on a refuge outside the refuge's general gun and primitive weapon season, hunters must wear a fluorescent orange vest or cap.

* * * * *

8. You must remove decoys, blinds, boats, other personal property, and litter (see §§ 27.93 and 27.94 of this chapter) from the hunting area following each morning's hunt. We prohibit cutting or removing trees and other vegetation (see § 27.51 of this chapter). We prohibit the use of flagging, paint, blazes, tacks, or other types of markers.

* * * * *

11. We prohibit all commercial activities, including guiding or participating in a paid guided hunt.

* * * * *

Dahomey National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. All hunters must comply with all State hunter education requirements. All hunters age 16 years and older must possess and carry a valid, signed refuge hunting permit (signed brochure). All persons younger than age 16, while hunting on the refuge, must be in the presence and under the direct supervision of a licensed or exempt hunter at least age 21, when hunting. A licensed hunter supervising a youth as provided in this section must hold all required licenses and permits.

* * * * *

3. We allow hunting of migratory game birds, including the Light Goose Conservation Order, on Wednesdays, Saturdays, and Sundays from 1–2 hour before legal sunrise until 12 p.m. (noon). Hunters must remove all decoys, blind material (see § 27.93 of this chapter), and harvested waterfowl from the area no later than 1 p.m. each day.

* * * * *

7. During any open refuge hunting season, all hunters, or persons on the refuge for any reason, must wear a minimum of 500 square inches (3,225.8 square centimeters) of visible, unbroken, fluorescent orange-colored material above the waistline. Waterfowl hunters must comply while walking/boating to and from actual hunting area. Waterfowl hunters may remove the fluorescent orange while actually hunting.

* * * * *

9. You must remove decoys, blinds, boats, other personal property, and litter (see §§ 27.93 and 27.94 of this chapter) from the hunting area following each morning's hunt. We prohibit cutting or removing trees and other vegetation (see § 27.51 of this chapter). We prohibit the use of flagging, paint, blazes, tacks, or other types of markers.

* * * * *

12. We prohibit all commercial activities, including guiding or participating in a paid guided hunt.

* * * * *

Hillside National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, merganser, coot, and dove on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Each person age 16 and older hunting or fishing must possess a valid T R Complex Annual Public Use Permit card (name/address/phone number).

2. All youth hunters age 15 and younger must possess and carry a hunter safety course card or certificate and be in the presence and direct supervision of a Mississippi licensed or exempt hunter, age 21 or older. One adult may supervise no more than one youth hunter.

3. Before hunting or fishing, all participants must display their User Information/Harvest Report Card (Big Game Harvest Report, FWS Form 3–2359) in plain view in their vehicle so that the required information is readable. All cards must be returned upon completion of the activity and before leaving the refuge.

4. We prohibit hunting or entry into areas designated as ''CLOSED'' (see refuge brochure map).

5. We prohibit possession of alcoholic beverages (see § 32.2(j)).

6. It is unlawful to throw, dump, dispose of, or intentionally leave any fish or wildlife, wildlife parts, or waste on the refuge. You must remove all parts from the refuge with the exception of field dressing.

7. We prohibit the use of plastic flagging tape.

8. Vehicles must be parked in such a manner as not to obstruct roads, gates, turn rows, or fire lanes (see § 27.31(h) of this chapter).

9. We prohibit all other public use on the refuge during the muzzleloader deer hunt.

10. For hunting, you may possess or use only approved nontoxic shot (see § 32.2(k)).

11. With the exception of raccoon hunting and frogging, we limit refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

12. For instances of lost or stolen public use permits, management may issue duplicates at their discretion, and we may charge a fee.

13. Valid permit holders may take the following in season incidental to other refuge hunts with weapons legal for that hunt: raccoon, opossum, coyote, beaver, bobcat, nutria, and feral hog.

14. We allow all-terrain vehicles (ATVs) only on designated trails (see § 27.31 of this chapter) (see refuge brochure map) from September 15 through February 28. We prohibit horses and mules.

15. We prohibit hunting over or the placement of bait (see § 32.2(h)). We prohibit the possession, direct or indirect placing, exposing, depositing, or scattering of any salt, grain, powder, liquid or other feed substance to attract game.

16. We prohibit hunting or shooting into a 100-foot (30.5-meter) zone along either side of pipelines, power line rights-of-way, designated roads, trails, or around parking lots (see refuge brochure map). It is considered hunting if you have a loaded weapon, if you have a nocked arrow while bow hunting, or if you are in an elevated tree stand or ground blind with a means to take, within these areas.

17. Hunters must remove all decoys, blind material (see § 27.93 of this chapter), and harvested waterfowl from the area no later than 1 p.m. each day.

18. We allow dogs for retrieving migratory birds.

19. We allow goose, duck, merganser and coot hunting beginning ½ hour before legal sunrise until 12 p.m. (noon).

20. There is no early teal season.

21. We allow dove hunting on specified dates and areas within the first and second State seasons. The first two Saturdays of the first season require a Limited Hunt Permit (name/address/phone number) assigned by random computer drawing. At the end of the hunt, you must return the permit with information concerning your hunt. If you fail to return this permit, you will not be eligible for any limited hunts the next year. Contact the refuge headquarters for specific dates and open areas.

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, quail, and raccoon on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16 apply.

2. We allow only shotguns with approved nontoxic shot (see § 32.2(k)), and .22 and .17 caliber rimfire rifles for small game hunting.

3. We allow dogs for hunting squirrel and quail, and for the February rabbit hunt.

4. All hunters must wear at least 500 square inches (3,225.8 square centimeters) of unbroken, fluorescent-orange material visible above the waistline as an outer garment while hunting and en route to and from hunting areas during any firearm deer season (State and/or refuge) and while rabbit hunting.

5. Beginning the first day after the deer muzzleloader hunt, we prohibit entry into the Turkey Point area until March 1.

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16, and B4 through B5 apply.

2. We prohibit organized drives for deer and feral hog.

3. Hunting or shooting within or adjacent to open fields and tree plantations less than 5 feet (1.5 meters) in height must be from a stand a minimum of 10 feet (3 meters) above the ground.

4. Deer check station dates, locations, and requirements are designated in the refuge brochure. Prior to leaving the Refuge, you must check all harvested deer at the nearest self-service check station following the posted instructions.

5. Hunters may possess and hunt from only one stand or blind. Hunters may place a deer stand or blind 48 hours prior to a hunt and must remove it within 48 hours after each designated hunt with the exception of closed areas where special regulations apply (see brochure).

6. During designated muzzleloader hunts, we allow archery equipment and muzzleloaders loaded with a single ball; we prohibit breech-loading firearms of any type.

7. Turkey hunting opportunities will consist of three limited draw hunts within the State season time frame. These hunts require a Limited Hunt Permit (Big/Upland Game Hunt Application Permit, FWS Form 3–2356) assigned by random computer drawing. At the end of the hunt, you must return the permit with information concerning your hunt. If you fail to return this permit, you will not be eligible for any limited hunts the next year. Contact refuge headquarters for specific requirements, hunts, and application dates.

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16 and B5 apply.
2. We prohibit trot lines, limb lines, jugs, seines, and traps.
3. We allow frogging during the State bullfrog season.
4. We allow fishing in the borrow ponds along the north levee (see refuge brochure map) throughout the year except during the muzzleloader deer hunt.
5. We open all other refuge waters to fishing March 1 through November 15.
6. We prohibit fishing from bridges.

Holt Collier National Wildlife Refuge

* * * * *

B. Upland Game Hunting. We allow hunting of rabbit and furbearers on designated areas in accordance with State regulations and subject to the following conditions:

1. Each person age 16 and older hunting or fishing must possess a valid T R Complex Annual Public Use Permit (name/address/phone number).
2. All youth hunters age 15 and younger must possess and carry a Hunter Safety Course Card or certificate and be in the presence and direct supervision of a Mississippi licensed or exempt hunter, age 21 or older. One adult may supervise no more than one youth hunter.
3. Before hunting or fishing, all participants must display their User Information/Harvest Report Card (Big Game Harvest Report—FWS Form 3–2359) in plain view in their vehicle so that the required information is readable. All cards must be returned upon completion of the activity and before leaving the refuge.
4. We prohibit hunting or entry into areas designated as ''CLOSED'' (see refuge brochure map).
5. We prohibit possession of alcoholic beverages (see § 32.2(j)).
6. We prohibit the use of plastic flagging tape.
7. Vehicles should be parked in such a manner as not to obstruct roads, gates, turn rows, or fire lanes (see § 27.31(h) of this chapter).
8. We prohibit all other public use on the refuge during all limited draw hunts.
9. Valid permit holders may take the following in season as incidental to other refuge hunts with weapons legal for that hunt: raccoon, opossum, coyote, beaver, bobcat, nutria, and feral hog.
10. We allow only shotguns with approved nontoxic shot (see § 32.2(k)), .22 and .17 caliber rimfire rifles for small game hunting.
11. We allow rabbit hunting with dogs in February.
12. During the rabbit hunt, any person hunting or accompanying another person hunting must wear at least 500 square inches (3,225.8 square centimeters) of unbroken, fluorescent-orange material visible above the waistline as an outer garment.
13. With the exception of raccoon hunting, we limit refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.
14. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), horses, and mules on the refuge.
15. We prohibit hunting over or the placement of bait (see § 32.2(h)). We prohibit the possession, direct or indirect placing, exposing, depositing, or scattering of any salt, grain, powder, liquid, or other feed substance to attract game.
16. For instances of lost or stolen public use permits (FWS Form 1383), management may issue duplicates at their discretion, and may charge a fee.
17. It is unlawful to throw, dump, dispose of, or intentionally leave any fish or wildlife, wildlife parts, or waste on the refuge. You must remove all parts from the refuge with the exception of field dressing.
18. We prohibit all other public use on the refuge during muzzleloader deer hunts.
19. We prohibit hunting or shooting into a 100-foot (30.5-meter (m)) zone along either side of pipelines, power line rights-of-way, designated roads, trails, or around parking lots (see refuge brochure map). It is considered hunting if you have a loaded weapon, if you have a nocked arrow while bow hunting, or if you are in an elevated tree stand or ground blind with a means to take, within these areas.

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions B1 through B7, B9, and B13 through B19 apply.
2. All hunters must wear at least 500 square inches (3,225.8square centimeters) of unbroken, fluorescent-orange material visible above the waistline as an outer garment while hunting and en route to and from hunting areas during any firearm deer season (State and/or refuge).
3. We prohibit organized drives for deer and feral hog.
4. Hunting or shooting within or adjacent to open fields or tree plantations less than 5 feet (1.5 meters) in height must be from a stand a minimum of 10 feet (3 meters) above the ground.
5. Deer check station dates, locations, and requirements are designated in the refuge brochure. Prior to leaving the refuge, you must check all harvested deer at the nearest self-service check station following the posted instructions.
6. Hunters may possess and hunt from only one stand or blind. Hunters may place a deer stand or blind 48 hours prior to a hunt and must remove it within 48 hours after each designated hunt with the exception of closed areas where special regulations apply (see brochure).
7. During designated muzzleloader hunts, we allow archery equipment and muzzleloaders loaded with a single ball; we prohibit breech-loading firearms of any type.

* * * * *

Mathews Brake National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, merganser, and coot on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Each person age 16 and older hunting or fishing must possess a valid T R Complex Annual Public Use Permit (name/address/phone number).
2. All youth hunters age 15 and younger must possess and carry a hunter safety course card or certificate and be in the presence and direct supervision of a Mississippi licensed or exempt hunter, age 21 or older. One adult may supervise no more than one youth hunter.
3. Before hunting and fishing, all participants must display their User Information/Harvest Report Card (Big Game Harvest Report, FWS Form 3–2359) in plain view in their vehicle so that the required information is readable. All cards must be returned upon completion of the activity and before leaving the refuge.
4. We prohibit hunting or entry into areas designated as ''CLOSED'' (see refuge brochure map).
5. We prohibit possession of alcoholic beverages (see § 32.2(j)).
6. It is unlawful to throw, dump, dispose of, or intentionally leave any fish or wildlife, wildlife parts, or waste on the refuge. You must remove all parts from the refuge with the exception of field dressing.
7. We prohibit the use of plastic flagging tape.
8. Vehicles should be parked in such a manner as not to obstruct roads, gates,

turn rows, or firelanes (see § 27.31(h) of this chapter).

9. For hunting, you may possess or use only approved nontoxic shot (see § 32.2(k)).

10. With the exception of raccoon hunting and frogging, we limit refuge entry and exit to the period of 4 a.m. to 1 ½ hours after legal sunset.

11. For instances of lost or stolen public use permits (name/address/phone number), management may issue duplicates at their discretion, and the hunter may incur a fee.

12. Valid permit holders may take the following in season incidental to other refuge hunts with weapons legal for that hunt: raccoon, opossum, coyote, beaver, bobcat, nutria, and feral hog.

13. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), horses, and mules on the refuge.

14. We prohibit hunting over or the placement of bait (see § 32.2(h)). We prohibit the possession, direct or indirect placing, exposing, depositing, or scattering of any salt, grain, powder, liquid, or other feed substance to attract game.

15. We prohibit hunting or shooting into a 100-foot (30.5m) zone along either side of pipelines, power line rights-of-way, designated roads, trails, or around parking lots (see refuge brochure map). It is considered hunting if you have a loaded weapon, if you have a nocked arrow while bow hunting, or if you are in an elevated tree stand or ground blind with a means to take, within these areas.

16. Hunters must remove all decoys, blind material (see § 27.93 of this chapter), boats, and harvested waterfowl from the area no later than 1 p.m. each day.

17. We allow dogs for retrieving migratory birds.

18. We allow goose, duck, merganser, and coot hunting beginning ½ hour before legal sunrise until 12 p.m. (noon).

19. There is no early teal season.

20. We allow hunting during open State season. The first 2 days of the season and all weekends, with the exception of youth weekends, are limited draw hunts. These hunts require a Limited Hunt Permit (name/address/phone number) assigned by random computer drawing. At the end of the hunt, you must return the permit with information concerning your hunt. If you fail to return this permit, you will not be eligible for any limited hunts the next year. Contact refuge headquarters for specific requirements, hunts, and application dates.

21. Beginning the day before duck season opens and ending the last day of duck season, we close refuge waters to all public use from 1 p.m. until 4 a.m.

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, and raccoon on designated areas in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A15 and A21 apply.

2. We allow only shotguns with approved nontoxic shot (see § 32.2(k)), and .22 and .17 caliber rimfire rifles for small game hunting.

3. We allow dogs for hunting squirrel and for the February rabbit hunt.

4. All hunters must wear at least 500 square inches (3,225.8 square centimeters) of unbroken, fluorescent-orange material visible above the waistline as an outer garment while hunting and en route to and from hunting areas during any firearm deer season (State and/or refuge) and while rabbit hunting.

5. Beginning the day before waterfowl season, we restrict hunting to the waterfowl hunt area (see refuge brochure map).

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A15, A21, B4, and B5 apply.

2. We prohibit organized drives for deer and feral hog.

3. Hunting or shooting within or adjacent to open fields or tree plantations less than 5 feet (1.5 meters) in height must be from a stand a minimum of 10 feet (3 meters) above the ground.

4. Deer check station dates, locations, and requirements are designated in the refuge brochure. Prior to leaving the refuge, you must check all harvested deer at the nearest self-service check station following the posted instructions.

5. Hunters may possess and hunt from only one stand or blind. A hunter may place a deer stand or blind 48 hours prior to a hunt and must remove it within 48 hours after each designated hunt with the exception of closed areas where special regulations apply (see brochure).

6. We allow archery hunting October 1 through January 31.

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A15, and A21 apply.

2. We prohibit trot lines, limb lines, jugs, seines, and traps.

3. We allow frogging during the State bullfrog season.

4. We allow fishing in all refuge waters throughout the year, except in the waterfowl sanctuary, which we close to fishing from the first day of duck season through March 1 (see refuge brochure map).

Morgan Brake National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, merganser, and coot on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Each person age 16 and older hunting or fishing must possess a valid T R Complex Annual Public Use Permit (name/address/phone number).

2. All youth hunters age 15 and younger must possess and carry a Hunter Safety Course Card or certificate and be in the presence and direct supervision of a Mississippi licensed or exempt hunter, age 21 or older. One adult may supervise no more than one youth hunter.

3. Before hunting or fishing, all participants must display their User Information/Harvest Report Card (Big Game Harvest Report, FWS Form 3–2359) in plain view in their vehicle so that the required information is readable. All cards must be returned upon completion of the activity and before leaving the refuge.

4. We prohibit hunting or entry into areas designated as ''CLOSED'' (see refuge brochure map).

5. We prohibit possession of alcoholic beverages (see § 32.2(j)).

6. It is unlawful to throw, dump, dispose of, or intentionally leave any fish or wildlife, wildlife parts, or waste on the refuge. You must remove all parts from the refuge with the exception of field dressing.

7. We prohibit the use of plastic flagging tape.

8. Vehicles should be parked in such a manner as not to obstruct roads, gates, turn rows, or fire lanes (see § 27.31(h) of this chapter).

9. We prohibit all other public use on the refuge during the muzzleloader deer hunt.

10. For hunting, you may possess or use only approved nontoxic shot (see § 32.2(k)).

11. With the exception of raccoon hunting and frogging, we limit refuge entry and exit to the period of 4 a.m. to 1 ½ hours after legal sunset.

12. For instances of lost or stolen public use permits (name/address/phone number), management may issue duplicates at their discretion, and the hunter may incur a fee.

13. Valid permit holders may take the following in season incidental to other

refuge hunts with weapons legal for that hunt: raccoon, opossum, coyote, beaver, bobcat, nutria and feral hog.

14. We allow all-terrain vehicles (ATVs) only on designated trails (see § 27.31 of this chapter) (see refuge brochure map) from September 15 through February 28. We prohibit horses and mules.

15. We prohibit hunting over or the placement of bait (see § 32.2(h)). We prohibit the possession, direct or indirect placing, exposing, depositing, or scattering of any salt, grain, powder, liquid, or other feed substance to attract game.

16. We prohibit hunting or shooting into a 100-foot (30.5-meter (m)) zone along either side of pipelines, power line rights-of-way, designated roads, trails, or around parking lots (see refuge brochure map). It is considered hunting if you have a loaded weapon, if you have a nocked arrow while bow hunting, or if you are in an elevated tree stand or ground blind with a means to take, within these areas.

17. Hunters must remove all decoys, blind material (see § 27.93 of this chapter), and harvested waterfowl from the area no later than 1 p.m. each day.

18. We allow dogs for retrieving migratory birds.

19. We allow goose, duck, merganser, and coot hunting beginning 1–2 hour before legal sunrise until 12 p.m. (noon).

20. There is no early teal season.

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, quail, and raccoon on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16 apply.

2. We allow only shotguns with approved nontoxic shot (see § 32.2(k)), and .22 and .17 caliber rimfire rifles for small game hunting.

3. We allow dogs for hunting squirrel and for the February rabbit hunt.

4. All hunters must wear at least 500 square inches (3,225.8 square centimeters) of unbroken, fluorescent-orange material visible above the waistline as an outer garment while hunting and en route to and from hunting areas during any firearm deer season (State and/or refuge) and while rabbit hunting.

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16 and B4 apply.

2. We prohibit organized drives for deer and feral hog.

3. Hunting or shooting within or adjacent to open fields or tree plantations less than 5 feet (1.5 meters) in height must be from a stand a minimum of 10 feet (3 meters) above the ground.

4. Deer check station dates, locations, and requirements are designated in the refuge brochure. Prior to leaving the refuge, you must check all harvested deer at the nearest self-service check station following the posted instructions.

5. Hunters may possess and hunt from only one stand or blind. Hunters may place a deer stand or blind 48 hours prior to a hunt and must remove it within 48 hours after each designated hunt with the exception of closed areas where special regulations apply (see brochure).

6. During designated muzzleloader hunts, we allow archery equipment and muzzleloaders loaded with a single ball; we prohibit breech-loading firearms of any type.

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16 apply.

2. We prohibit trot lines, limb lines, jugs, seines, and traps.

3. We allow frogging during the State bullfrog season

4. We open refuge waters to fishing March 1 through November 15, except Providence Ponds, which is closed one day prior to the beginning of waterfowl season until March 1.

Panther Swamp National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, merganser, and coot on designated areas of the refuge in accordance with State regulations and subject to the following regulations:

1. Each person age 16 and older hunting or fishing must possess a valid T R Complex Annual Public Use Permit (name/address/phone number).

2. All youth hunters age 15 and younger must possess and carry a Hunter Safety Course Card or certificate and be in the presence and direct supervision of a Mississippi licensed or exempt hunter, age 21 or older. One adult may supervise no more than one youth hunter.

3. Before hunting or fishing, all participants must display their User Information/Harvest Report Card (Big Game Harvest Report, FWS Form 3–2359) in plain view in their vehicle so that the required information is readable. All cards must be returned upon completion of the activity and before leaving the refuge.

4. We prohibit hunting or entry into areas designated as ''CLOSED'' (see refuge brochure map).

5. We prohibit possession of alcoholic beverages (see § 32.2(j)).

6. It is unlawful to throw, dump, dispose of, or intentionally leave any fish or wildlife, wildlife parts, or waste on the refuge. You must remove all parts from the refuge with the exception of field dressing.

7. We prohibit the use of plastic flagging tape.

8. Vehicles should be parked in such a manner as not to obstruct roads, gates, turn rows, or fire lanes (see § 27.31(h) of this chapter).

9. We prohibit all other public use on the refuge during all limited draw hunts.

10. For hunting, you may possess or use only approved nontoxic shot (see § 32.2(k)).

11. With the exception of raccoon hunting and frogging, we limit refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

12. For instances of lost or stolen public use permits (name/address/phone number), management may issue duplicates at their discretion, and may charge a fee.

13. Valid permit holders may take the following in season incidental to other refuge hunts with weapons legal for that hunt: raccoon, opossum, coyote, beaver, bobcat, nutria, and feral hog.

14. We allow all-terrain vehicles (ATVs)/utility-type vehicles (UTVs) only on designated trails (see § 27.31 of this chapter) (see refuge brochure map) from September 15 through February 28. We prohibit horses and mules.

15. We prohibit hunting over or the placement of bait (see § 32.2(h)). We prohibit the possession, direct or indirect placing, exposing, depositing, or scattering of any salt, grain, powder, liquid, or other feed substance to attract game.

16. We prohibit hunting or shooting into a 100-foot (30-meter (m)) zone along either side of pipelines, power line rights-of-way, designated roads, trails, or around parking lots (see refuge brochure map). It is considered hunting if you have a loaded weapon, if you have a nocked arrow while bow hunting, or if you are in an elevated tree stand or ground blind with a means to take, within these areas.

17. Hunters must remove all decoys, blind material (see § 27.93 of this chapter), and harvested waterfowl from the area no later than 1 p.m. each day.

18. We allow dogs for retrieving migratory birds.

19. We allow goose, duck, merganser, and coot hunting beginning ½ hour before legal sunrise until 12 p.m. (noon).

20. Beginning December 15 through March 1, we prohibit all entry into the Lower Twist and Carter Ponds area.

21. During the State Waterfowl season (except early teal season), waterfowl hunting in Unit 1 will be on Monday, Tuesday, and Wednesday. Waterfowl hunting in Unit 2 will be on Friday, Saturday, and Sunday (see refuge brochure for details).

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, quail, and raccoon on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16 and A20 apply.

2. We allow only shotguns with approved nontoxic shot (see § 32.2(k)), and .22 and .17 caliber rimfire rifles for small game hunting.

3. We allow dogs for hunting squirrel and raccoon, and for the February rabbit hunt.

4. All hunters must wear at least 500 square inches (3,225.8 square centimeters) of unbroken, fluorescent-orange material visible above the waistline as an outer garment while hunting and en route to and from hunting areas during any firearm deer season (State and/or refuge) and while rabbit hunting.

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16, and B4 apply.

2. We prohibit organized drives for deer and feral hog.

3. Hunting or shooting within or adjacent to open fields or tree plantations less than 5 feet (1.5 meters) in height must be from a stand a minimum of 10 feet (3 meters) above the ground.

4. Deer check station dates, locations, and requirements are designated in the refuge brochure. Prior to leaving the refuge, you must check all harvested deer at the nearest self-service check station following the posted instructions.

5. Hunters may possess and hunt from only one stand or blind. Hunters may place a deer stand or blind 48 hours prior to a hunt and must remove it within 48 hours after each designated hunt with the exception of closed areas where special regulations apply (see brochure).

6. During designated muzzleloader hunts, we allow archery equipment and muzzleloaders loaded with a single ball; we prohibit breech-loading firearms of any type.

7. We allow only shotguns with approved nontoxic shot (see § 32.2(k)) and archery equipment for turkey hunting.

8. Limited draw hunts require a Limited Hunt Permit (name/address/phone number) assigned by random computer drawing. At the end of the hunt, the permit with information concerning that hunt must be returned to the refuge. Failure to return this permit will disqualify the hunter for any limited hunts the next year.

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A12 and A20 apply.

2. We prohibit trot lines, limb lines, jugs, seines, and traps.

3. We allow frogging during the State bullfrog season.

Sam D. Hamilton Noxubee National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, woodcock, and coot on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. You must purchase a refuge waterfowl permit (Waterfowl Lottery Application; FWS Form 3–2355) for waterfowl hunting in addition to meeting other applicable State and Federal requirements. No more than two companions may accompany each permitted hunter, and we do not require these companions to purchase permits. Permits are nontransferable and only issued to hunters ages 16 and older. Permit holders can hunt as standby hunters for any date for which waterfowl hunting is open.

2. Information on hunts and hunt dates are available at refuge headquarters, on the refuge Web site, and as specified in the refuge brochure. All hunters and anglers must possess and carry a signed refuge public use brochure when conducting these activities.

3. Hunters must remove all decoys, blind material, and harvested waterfowl from the refuge no later than 12 p.m. (noon) each day (see §§ 27.93 and 27.94 of this chapter).

4. All youth hunters of age 15 and younger must remain within sight and normal voice contact of an adult age 21 or older. One adult may supervise not more than two youth hunters.

5. All waterfowl hunters must check-in and check-out at the refuge's duck check station both before and after a day's hunt.

6. We prohibit possession of alcoholic beverages (see § 32.2(j)).

7. Persons possessing, transporting, or carrying firearms on the refuge must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

8. All hunters may possess only approved nontoxic shot while hunting within wetlands and green-tree reservoirs (see § 32.2(k)).

9. We prohibit leaving any personal property, including, but not limited to, boats or vehicles of any type, geocaches, and cameras, overnight on the refuge (see § 29.93 of this chapter). The only exceptions are tree stands used for deer hunting and trotlines and jugs used for fishing.

10. During the deer firearm (primitive or modern gun) hunts, any person hunting species other than waterfowl, accompanying another person hunting species other than waterfowl, or walking off-trail within areas open to deer hunting must wear at least 500 square inches (3,225.8 square centimeters) of unbroken fluorescent-orange material visible above the waistline as an outer garment at all times.

11. We allow unleashed dogs for retrieval of migratory game birds.

12. We prohibit marking trees and using flagging tape, reflective tacks, and other similar marking devices.

13. We require all hunters to record hours hunted and game harvested using the Migratory Bird Hunt Report (FWS Form 3–2361).

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, quail, opossum, and raccoon on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We prohibit upland game hunting within the designated areas for waterfowl hunting when waterfowl hunting is actively taking place.

2. We only allow use and possession of approved nontoxic shot and nontoxic ammunition for hunting upland game within wetlands with open water and green-tree reservoirs whether flooded or not (see § 32.2(k)).

3. We only allow shotguns with a shot size no larger than No. 2 and rifles no larger than a standard .22 caliber for taking upland game. We prohibit .22 caliber magnum ammunition and .17 Hornady Magnum Rimfire (HMR) for hunting.

4. We allow hunting of squirrel, raccoon, rabbit, quail, and opossum

with unleashed dogs during designated hunts.

5. We allow raccoon and opossum hunting between the hours of legal sunset and legal sunrise.

6. Conditions A2, A4, A6, A7, A8, A9, A10, A12 and A13 apply.

7. We prohibit the use of all-terrain vehicles (ATVs), utility-type vehicles (UTVs), and livestock, including horses and mules.

8. We prohibit hunting or entry into areas designated as being ''closed'' (see refuge brochure map).

9. Hunters may take incidental species (coyote, beaver, nutria, and feral hog) during any hunt with those weapons legal during those hunts.

10. We require all hunters to record hours hunted and all harvested game on the Upland Game Hunt Report (FWS Form 3–2362) at the conclusion of each day at one of the refuge check stations.

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A2, A4, A6, A7, A8, A9, A10, A12, A13, B2, B7, B7, B9, and B10 apply.

2. You must purchase a refuge quota deer permit (Quota Deer Hunt Application; FWS Form 3–2354) in addition to meeting State requirements for all refuge deer hunts. Permits are nontransferable. We do not require youth younger than age 16 to purchase a refuge quota deer hunting permit and can obtain a free permit at the refuge office.

3. We prohibit organized drives for deer.

4. You may place portable tree stands for deer hunting on the refuge only during the open deer season. You must clearly label all stands with your name, address, and phone number. When not in use and left on the refuge, you must place stands in a nonhunting position at ground level.

5. We require turkey hunters to use and possess nontoxic shot within locations mapped as green-tree reservoirs within the refuge brochure (see § 32.2(k)).

6. We prohibit big game hunting in the area designated for waterfowl hunting when waterfowl hunting is actively taking place.

7. We prohibit hunting by aid or distribution of any feed, salt, scent attractant, or other mineral at any time (see § 32.2(h)).

8. While climbing a tree, installing a tree stand that uses climbing aids, or hunting from a tree stand on the refuge, hunters must use a fall-arrest system (full body harness) that is manufactured to the Treestand Manufacturer's Association's standards.

D. Sport Fishing. We allow sport fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. The general sport fishing, boating, and bow fishing season extends from March 1 through October 31, except for the posted southern shore of Bluff Lake, the entire Noxubee River, and all borrow pit areas along Highway 25 that are open year-round to fishing. Persons must possess and carry a signed refuge public use brochure when fishing.

2. Conditions A7, A9, and B7 apply (see § 27.93 of this chapter).

3. Anglers must keep boat travel at idle speed, and they must not create a wake when moving.

4. We prohibit limb lines, jug fishing, trotlines, snag lines, and hand grappling in Ross Branch, Bluff, and Loakfoma Lakes.

5. When left unattended, anglers must tag fishing gear with their name, address, and phone number. Anglers must check all gear within 24 hours or remove these devices.

6. Trotlining:

i. Anglers must label each end of the trotline floats with the owner's name, address, and phone number.

ii. We limit trotlines to one line per person, and we allow no more than two trotlines per boat.

iii. Anglers must tend all trotlines every 24 hours and remove them when not in use.

iv. Trotlines must possess at least 6-inch (15.2-centimeter) cotton string leads.

7. Jug fishing:

i. Anglers must label each jug with their name, address, and phone number.

ii. Anglers must attend all jugs every 24 hours and remove them when not in use.

8. We prohibit night time bow fishing.

9. We prohibit fishing tournaments on all refuge waters.

10. We prohibit the taking of frogs and turtles (see § 27.21 of this chapter).

11. We prohibit the use of airboats, sailboats, hovercrafts, and inboard-water-thrust boats such as, but not limited to, personal watercraft, watercycles, and waterbikes.

St. Catherine Creek National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. We require that all hunters and anglers age 16 and older purchase an Annual Public Use Permit (name/address/telephone number). We waive the fee for individuals age 65 and older. The refuge user is required to sign, certifying that you understand and will comply with all regulations, and carry this permit at all times while on the refuge.

* * * * *

6. You may possess only approved nontoxic shot while hunting on the refuge (see § 32.2(k)). This requirement only applies to the use of shotgun ammunition.

* * * * *

B. Upland Game Hunting. * * *

1. We only allow hunting shotguns, .22 caliber rimfire rifles or smaller, and muzzle-loading rifles under .38 caliber shooting patched round balls, except for raccoon hunting (see condition 3.iv below). We prohibit the possession of hunting with slugs, buckshot, or rifle hunting ammunition larger than .22 rimfire.

* * * * *

C. Big Game Hunting. * * *

10. Refuge users must check all game (name) taken prior to leaving the refuge at one of the self-clearing check stations indicated on the map in the Refuge Public Use Brochure.

* * * * *

D. Sport Fishing. * * *

7. Conditions A2, A10, A11, and A14 apply.

Tallahatchie National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. All hunters must comply with all State hunter education requirements. All hunters age 16 years and older must possess and carry a valid, signed refuge hunting permit (signed brochure). All persons younger than age 16, while hunting on the refuge, must be in the presence and under the direct supervision of a licensed or exempt hunter at least age 21, when hunting. A licensed hunter supervising a youth as provided in this section must hold all required licenses and permits.

* * * * *

3. We only allow hunting of migratory game birds, including the Light Goose Conservation Order, on Wednesdays, Saturdays, and Sundays from 1–2 hour before legal sunrise and ending at 12 p.m. (noon). Hunters must remove all decoys, blind material (see § 27.93 of this chapter), and harvested waterfowl from the area no later than 1 p.m. each day.

* * * * *

10. You must remove decoys, blinds, boats, other personal property, and litter (see §§ 27.93 and 27.94) from the hunting area following each morning's hunt. We prohibit cutting or removing trees and other vegetation (see § 27.51 of this chapter). We prohibit the use of

flagging, paint, blazes, tacks, or other types of markers.

* * * * *

13. We prohibit all commercial activities, including guiding or participating in a paid guided hunt.

* * * * *

Yazoo National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of duck, goose, merganser, coot, and dove on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Each person age 16 and older hunting or fishing must possess a valid T R Complex Annual Public Use Permit (name/address/phone number).

2. All youth hunters age 15 and younger must possess and carry a Hunter Safety Course Card or certificate and be in the presence and direct supervision of a Mississippi licensed or exempt hunter, age 21 or older. One adult may supervise no more than one youth hunter.

3. Before hunting or fishing, all participants must display their User Information/Harvest Report Card (Big Game Harvest Report, FWS Form 3–2359) in plain view in their vehicle so that the required information is readable. All cards must be returned upon completion of the activity and before leaving the refuge.

4. We prohibit hunting or entry into areas designated as ''CLOSED'' (see refuge brochure map).

5. We prohibit possession of alcoholic beverages (see § 32.2(j)).

6. It is unlawful to throw, dump, dispose or intentionally leave any fish or wildlife, wildlife parts, or waste on the refuge. You must remove all parts from the refuge with the exception of field dressing.

7. We prohibit the use of plastic flagging tape.

8. Vehicles should be parked in such a manner as not to obstruct roads, gates, turn rows, or fire lanes (see § 27.31(h) of this chapter).

9. We prohibit all other public use on the refuge during all limited draw hunts.

10. You may possess only approved nontoxic shot (see § 32.2(k)) while in the field.

11. With the exception of raccoon hunting, we limit refuge entry and exit to the period of 4 a.m. to 1½ hours after legal sunset.

12. For instances of lost or stolen public use permits (name/address/phone number), management may issue duplicates at their discretion, and may charge a fee.

13. Valid permit holders may take the following in season as incidental to other refuge hunts with weapons legal for that hunt: raccoon, opossum, coyote, beaver, bobcat, nutria, and feral hog.

14. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), horses, and mules are prohibited.

15. We prohibit hunting over or the placement of bait (see § 32.2(h)). We prohibit the possession, direct or indirect placing, exposing, depositing, or scattering of any salt, grain, powder, liquid, or other feed substance to attract game.

16. We prohibit hunting or shooting into a 100-foot (30.5-meter (m)) zone along either side of pipelines, power line rights-of-way, designated roads, trails, or around parking lots (see refuge brochure map). It is considered hunting if you have a loaded weapon, if you have a nocked arrow while bow hunting, or if you are in an elevated tree stand or ground blind with a means to take, within these areas.

17. Hunters must remove all decoys, blind material (see § 27.93 of this chapter), and harvested waterfowl from the area no later than 1 p.m. each day.

18. We allow dogs for retrieving migratory birds.

19. We allow goose, duck, merganser, and coot hunting beginning ½ hour before legal sunrise until 12 p.m. (noon).

B. Upland Game Hunting. We allow hunting of squirrel, rabbit, quail, and raccoon on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16 apply.

2. We allow only shotguns with approved nontoxic shot (see § 32.2(k)), .22 and .17 caliber rimfire rifles for small game hunting.

3. We allow dogs for hunting squirrel and raccoon, and for the February rabbit hunt.

4. All hunters must wear at least 500 square inches (3,225.8 square centimeters) of unbroken, fluorescent-orange material visible above the waistline as an outer garment while hunting and en route to and from hunting areas during any firearm deer season (State and/or refuge) and while rabbit hunting.

5. We allow rabbit hunting on the Brown Tract.

C. Big Game Hunting. We allow hunting of white-tailed deer and turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Conditions A1 through A16, and B4 apply.

2. We prohibit organized drives for deer and feral hog.

3. Hunting or shooting within or adjacent to open fields or tree plantations less than 5 feet (1.5 meters) in height must be from a stand a minimum of 10 feet (3 meters) above the ground.

4. Deer check station dates, locations, and requirements are designated in the refuge brochure. Prior to leaving the refuge, you must check all harvested deer at the nearest self-service check station following the posted instructions.

5. Hunters may possess and hunt from only one stand or blind. Hunters may place a deer stand or blind 48 hours prior to a hunt and must remove it within 48 hours after each designated hunt with the exception of closed areas where special regulations apply (see brochure).

6. During designated muzzleloader hunts, we allow archery equipment and muzzleloaders loaded with a single ball; we prohibit breech-loading firearms of any type.

7. Limited draw hunts require a Limited Hunt Permit (name/address/phone number) assigned by random computer drawing. At the end of the hunt, the permit with information concerning that hunt must be returned to the refuge. Failure to return this permit will disqualify the hunter for any limited hunts the next year.

8. We allow archery deer hunting on the Brown Tract.

* * * * *

■ 20. Amend § 32.44 by:

■ a. Under Big Muddy National Wildlife Refuge:

■ i. Adding paragraph A.3.

■ ii. Revising paragraphs B.1 and C.6.

■ b. Under Clarence Cannon National Wildlife Refuge:

■ i. Revising paragraphs C.2 and C.5.

■ ii. Removing paragraph C.7.

■ iii. Redesignating paragraph C.8 as C.7.

■ c. Under Mingo National Wildlife Refuge:

■ i. Adding paragraph A.10.

■ ii. Revising paragraphs B.1 and B.7.

■ iii. Revising paragraphs C.1, C.7, and C.10.

■ iv. Adding paragraph C.11.

■ v. Revising paragraphs D.1, D.2, and D.4.

■ d. Revising paragraphs A, B, and C under Swan Lake National Wildlife Refuge.

The additions and revisions read as follows:

§ 32.44 Missouri.

* * * * *

Big Muddy National Wildlife Refuge

A. Migratory Game Bird Hunting.

* * *

3. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. * * *

1. Condition A3 applies.

* * * * *

C. Big Game Hunting. * * *

6. Condition A3 applies to wild turkey only.

* * * * *

Clarence Cannon National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

2. You must register at the hunter sign-in/out station and record the sex and age of deer harvested on the Big Game Harvest Report (FWS Form 3–2359).

* * * * *

5. You must remove all boats, blinds, blind materials, stands, platforms, scaffolds, and other hunting equipment (see §§ 27.93 and 27.94 of this chapter) from the refuge at the end of each day's hunt.

* * * * *

Mingo National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

10. We allow the take of feral hog at any time and bobcat when in season, while legally hunting others species on the refuge.

B. Upland Game Hunting. * * *

1. Conditions A3, A8, A9, and A10 apply.

* * * * *

7. Archery hunters may take squirrel, raccoon, and bobcat while in season and feral hog anytime while archery deer hunting.

* * * * *

C. Big Game Hunting. * * *

1. Conditions A3, A5, A8, A9, A10, and B2 apply.

* * * * *

7. We allow portable tree stands only from 2 weeks before to 2 weeks after the State archery deer season with the following exception: In the Expanded General Hunt Area, you must remove all personal property at the end of each day.

* * * * *

10. We prohibit the distribution of bait or hunting with the aid of bait, salt, or other ingestible attractant (see § 32.2(h)).

11. We require hunters to apply for managed deer hunts through the Missouri Department of Conservation internet draw.

D. Sport Fishing. * * *

1. We allow fishing year-round from ½ hour before legal sunrise until ½ hour after legal sunset on Red Mill Pond, Mingo River (south of Ditch 6 Road), Stanley Creek, May Pond, Fox Pond, Binford Pond, and Ditches 2, 3, 6, 10, and 11.

2. We allow fishing in moist soil units, Monopoly Marsh, Rockhouse Marsh, and Ditches 4 and 5 only from March 1 through September 30.

* * * * *

4. We prohibit all boat motors in the Mingo Wilderness. We allow the use of electric trolling motors outside the Mingo Wilderness.

* * * * *

Swan Lake National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of migratory birds on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

2. We allow hunting of waterfowl, dove, rail, snipe, and woodcock on the Schmitt, Moresi, Bates, Truman Reservoir, and Yellow Creek Triangle Units subject to State regulations and seasons.

3. We allow hunting of waterfowl, dove, rail, snipe, and woodcock on the refuge subject to the following conditions:

i. We require the Missouri Department of Conservation ''Green Card'' while hunting waterfowl.

ii. We require Missouri Department of Conservation ''Orange Cards'' while dove hunting.

iii. You must follow designated check-in and check-out procedures.

iv. We only allow waterfowl hunting during designated days of the waterfowl seasons, late goose season, and Spring Conservation Order season.

v. We restrict hunting hours to designated times on designated units. You must remove all equipment and exit units by 1 p.m.

vi. During the Spring Conservation Order season, you may leave decoys and blinds overnight in your assigned unit.

vii. You may hunt only in the designated area to which you are assigned at the check station.

viii. We require that you leash or kennel hunting dogs when outside the hunting unit. Dogs must be under the control of the owner at all times.

ix. We restrict hunting units to parties no larger than four, unless otherwise designated.

x. We prohibit driving vehicles, including all-terrain vehicles (ATVs), into units. We allow hand-pulled carts. You must park vehicles in designated parking areas for the unit.

xi. We prohibit the cutting of woody vegetation (see § 27.51 of this chapter) on the refuge.

xii. We prohibit hunting or shooting on, across, or within 100 feet (30.5 meters) of a service road, parking lot, or designated trail.

xiii. We restrict waterfowl hunters to a designated number of shot shells in their possession while hunting in designated waterfowl hunting units.

B. Upland Game Hunting. We allow hunting of upland game on designated areas of the refuge in accordance with State regulations and seasons, and subject to the following conditions:

1. Conditions A.1 and A.3.xii apply.

2. On the Schmitt, Moresi, Bates, Truman Reservoir, and Yellow Creek Triangle Units, we allow hunting of quail, rabbit, squirrel, groundhog, bullfrog, green frog, pheasant, raccoon, coyote, red and gray fox, bobcat, opossum, skunk, and badger according to State seasons and regulations. You may access the Yellow Creek Triangle via the Yellow Creek Conservation Area.

3. On the refuge, we allow hunting of squirrel on designated areas in accordance with State regulations and seasons, and subject to the following conditions:

i. We allow shotguns, handguns, and rimfire .22 caliber rifles.

ii. You may not access the refuge from neighboring private or public lands.

iii. We restrict hunting use hours on designated hunting units.

C. Big Game Hunting. We allow hunting of deer and wild turkey on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Condition A.1 applies only to wild turkey. Conditions A.3.iii. and B.3.ii. apply.

2. On the Schmitt, Moresi, Bates, and Truman Reservoir Units, we allow hunting of white-tailed deer and wild turkey in accordance with State regulations and seasons.

3. On the Yellow Creek Triangle Unit, we allow archery hunting of white-tailed deer consistent with regulations and seasons in the adjacent Yellow Creek Wildlife Management Area.

4. On the refuge, we allow hunting of white-tailed deer subject to the following conditions:

i. We require a Missouri Department of Conservation Permit, along with Missouri Department of Conservation hunter identification tags and parking permits (name/address/phone number) to hunt during the managed deer hunt.

ii. You must participate in a pre-hunt orientation for managed deer hunts.

iii. You must hunt in designated areas during designated times.

iv. We allow entry onto the refuge 1 hour prior to shooting hours during managed deer hunts. You must be off the refuge 1 hour after shooting hours, unless permission has been granted by the refuge manager or designee.

v. We prohibit shooting from, across, or within 100 feet (30.5 meters) of a service road, public road, parking lot, or designated trail unless authorized by the refuge manager.

vi. We allow use of portable tree stands and blinds during managed deer hunts, and you must remove them at designated times. You must attach your name, address, and phone number to all stands and blinds. During managed firearms hunts, you must mark enclosed hunting blinds and stands with hunter orange visible from all sides.

vii. We prohibit hunting over or placing on the refuge any salt or other mineral blocks (see § 32.2(h)).

viii. During special hunts, one nonhunting assistant may accompany youth or hunters with disabilities.

* * * * *

■ 21. Amend § 32.47 by revising paragraphs A.4, C.2, and C.3 under Stillwater National Wildlife Refuge to read as follows:

§ 32.47 Nevada.

* * * * *

Stillwater National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

4. Persons possessing, transporting or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32).

* * * * *

C. Big Game Hunting. * * *

2. Hunters must only use shotguns, muzzleloading weapons, or bow and arrow, and may possess and use only nontoxic projectiles for hunting (see § 32.2(k)).

3. Persons possessing, transporting or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32).

* * * * *

■ 22. Amend § 32.48 by revising paragraph C.5 under Umbagog National Wildlife Refuge to read as follows:

§ 32.48 New Hampshire.

* * * * *

Umbagog National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

5. We allow only temporary tree stands and blinds. You may erect a tree stand or blind no earlier than August 1, and you must remove it by December 31. We prohibit nails, screws, or screw-in climbing pegs to build or access a tree stand or blind (see § 32.2(i)). You must mark tree stands and blinds with your full name and address.

* * * * *

■ 23. Amend § 32.49 by revising the entry for Wallkill National Wildlife Refuge by:

■ a. Revising paragraphs A.1, A.4, and A.8.

■ b. Revising paragraphs B and C.

■ c. Revising paragraph D.1.

The revisions read as follows:

§ 32.49 New Jersey.

* * * * *

Wallkill National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. You must submit a Migratory Bird Hunt Application/Permit (information taken from OMB-approved Migratory Bird Hunt Application, FWS Form 3–2357) to hunt on the refuge. We require hunters to possess a signed refuge hunt permit (name and address only) at all times while scouting and hunting on the refuge. We charge a fee for all hunters except youth age 16 and younger.

* * * * *

4. We provide a designated hunting area at 119 Owens Station Road, Vernon, New Jersey. We reserve this property for the exclusive use of physically challenged individuals who have produced evidence of the New Jersey Permit to Shoot or Hunt from a Stationary Vehicle and possess a signed, disabled hunter refuge permit.

* * * * *

8. We require hunters to remove all hunting blind material, boats, and decoys from the refuge at the end of each hunting season (see § 27.93 of this chapter).

* * * * *

B. Upland Game Hunting. We allow hunting of coyote, fox, crow, ruffed grouse, opossum, raccoon, pheasant, chukar, rabbit/hare/jackrabbit, squirrel, and woodchuck on designated areas of the refuge in accordance with State of New Jersey regulations and subject to the following conditions:

1. We require hunters to submit a Big Game Hunt Application/Permit (information taken from OMB-approved Big/Upland Game Hunt Application, FWS Form 3–2356) to hunt on the refuge. We require hunters to possess a signed refuge hunt permit (name and address only) at all times while scouting and hunting on the refuge. We charge a fee for all hunters except youth age 16 and younger.

2. Conditions A3 through A6, and A11 apply.

3. We prohibit scouting.

4. We prohibit the use of dogs during hunting.

5. We prohibit baiting on refuge lands (see § 32.2(h)).

6. We prohibit night hunting.

7. We prohibit woodchuck hunting prior to July 15; we allow use of only rimfire rifles to harvest woodchuck.

C. Big Game Hunting. We allow hunting of white-tailed deer, bear, and wild turkey on designated areas of the refuge in accordance with State of New Jersey regulations and subject to the following conditions:

1. Conditions A3 through A5, A9, A11, B1, B4, and B5 apply.

2. We require firearm hunters to wear, in a conspicuous manner, a minimum of 400 square inches (2,580.6 square centimeters) of solid-color, hunter-orange clothing or material on the head, chest, and back. Bow hunters must meet the same requirements when firearm season is also open. We do not require turkey hunters to wear orange at any time.

3. We require hunters to remove all stands and other hunting material from the refuge at the end of each hunting season (see § 27.93 of this chapter).

4. We allow pre-hunt scouting.

5. We prohibit deer drives.

D. Sport Fishing. * * *

1. We allow fishing in and along the banks of the Wallkill River. We allow shore fishing only in the pond at Owens Station Crossing, Vernon, New Jersey.

* * * * *

■ 24. Amend § 32.50 by revising the entry for Bitter Lake National Wildlife Refuge by:

■ a. Revising the introductory text of paragraph A and paragraphs A.2, A.4, A.8, and A.9.

■ b. Revising paragraphs B.2 and B.4.

■ c. Revising the introductory text of paragraph C and paragraph C.1.

The revisions read as follows:

§ 32.50 New Mexico.

* * * * *

Bitter Lake National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose; duck; coot; mourning, white-winged, and Eurasian collared dove; and sandhill crane on

designated areas of the refuge in accordance with State regulations and any special posting or publications, subject to the following conditions:

* * * * *

2. On the Middle Tract (the portion of the refuge located between U.S. Highway 70 and U.S. Highway 380), we allow hunting of goose, duck, sandhill crane, and American coot (no dove):

i. In the designated public hunting area, which is located in the southern portion of the Tract; and

ii. No closer than 100 yards (91.4 meters) to the public auto tour route; and

iii. Only on Tuesdays, Thursdays, and Saturdays during the period when the State seasons that apply to the Middle Tract area are open simultaneously for hunting all of the species allowed; and

iv. Only until 1 p.m. (local time) on each permitted hunt day.

* * * * *

4. You may use only approved nontoxic shotgun shot while hunting (see § 32.2(k)).

* * * * *

8. We do not require permits other than those required by the State.

9. Visit the refuge office or Web site, and/or refer to additional on-site brochures, leaflets, or postings for additional regulations.

B. Upland Game Hunting. * * *

2. On the Middle Tract (the portion of the refuge located between U.S. Highway 70 and U.S. Highway 380), we allow only pheasant hunting:

i. Conditions A.2.i, A.2.ii, and A.2.iv apply.

ii. Only on Tuesdays, Thursdays, and Saturdays during the appropriate State season that applies to the Middle Tract area.

iii. All hunting must cease at 1 p.m. (local time) on each hunt day.

* * * * *

4. Conditions A4, A6, and A9 apply.

* * * * *

C. Big Game Hunting. We allow hunting of mule deer, white-tailed deer, and feral hog on designated areas of the refuge in accordance with State seasons and regulations and any special postings or publications, and subject to the following conditions:

1. We restrict all hunting to the North Tract (including Salt Creek Wilderness Area and the portion of the refuge located north of U.S. Highway 70) with the specification that you may hunt and take feral hog (no bag limit) only while legally hunting deer and only with the weapon legal for deer on that day in that area.

* * * * *

■ 25. Amend § 32.51 by:

■ a. Under Montezuma National Wildlife Refuge:

■ i. Revising paragraphs A.2, A.4, A.8, A.10, A.13, A.14, A.15, A.16, A.17, and A.18.

■ ii. Removing paragraph A.19.

■ iii. Revising paragraphs C and D.

■ b. Adding, in alphabetical order, an entry for Wallkill National Wildlife Refuge.

The additions and revisions read as follows:

§ 32.51 New York.

* * * * *

Montezuma National Wildlife Refuge

A. Migratory Game Bird Hunting.

* * *

2. We allow hunting only on Tuesdays, Thursdays, and Saturdays during established refuge season set within the State western zone season. We allow a youth waterfowl hunt during the Saturday of the State's established youth waterfowl hunt dates each year.

* * * * *

4. We take opening day reservations between 8:30 a.m. and 9:00 a.m. on the Thursday of the week before the season opener (**Note:** This is not the Thursday directly before the opener). We take youth hunt reservations between 8:30 a.m. and 9:00 a.m. on the Thursday of the week before the youth hunt (**Note:** This is not the Thursday directly before the youth hunt.).

* * * * *

8. You may request the parking area of your choice when making reservations; parking areas are given on a first-come, first-served basis.

* * * * *

10. All hunters with reservations and their hunting companions must check-in at the Route 89 Hunter Check Station area at least 1 hour before legal shooting time or forfeit their reservation.

* * * * *

13. In Tschache Pool, hunters must use motorless boats to hunt, and we limit hunters to one boat per reservation. We also limit hunters to one motor vehicle in the Tschache Pool area per reservation.

14. You must not shoot from any dike or within 50 feet (15.2 meters) of any dike or road, or from within 500 feet (152.4 meters) of the Tschache Pool observation tower. We do not limit hunting to specific blind sites.

15. We will announce selection procedures for hunting sites on areas other than Tschache Pool annually.

16. You may possess a maximum of 15 nontoxic shot shells while in the field (see § 32.2(k)); you may not take more than 15 shot shells per hunter into the hunting area.

17. You must stop hunting at 12 p.m. (noon), and you must check-out and be out of the hunting area by 1 p.m.

18. We require proof of successful completion of the New York State Waterfowl Identification Course, the Montezuma Nonresident Waterfowl Identification Course, or a suitable nonresident State Waterfowl Identification Course to hunt the refuge; all hunters must show proof each time they hunt, in addition to showing their valid hunting license and signed Duck Stamp.

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow hunting of white-tailed deer only on designated areas of the refuge using archery, firearms (see § 27.42 of this chapter), muzzleloaders, or crossbows during established refuge seasons set within the general State white-tailed deer season. Esker Brook and South Spring Pool Trails are not open to hunting before November 1 each year. We allow a youth white-tailed deer hunt during the State's established youth white-tailed deer hunt dates each year.

2. We allow hunting of white-tailed deer 7 days per week (Monday through Sunday) during the refuge season.

3. You must possess, carry, and present upon request to any law enforcement officer a valid daily hunt permit card (Big/Upland Game Hunt Application, FWS Form 3–2356). We will also require you to return the daily hunt permit card at the end of hunting or at the end of the day.

4. Daily hunt permits (Big/Upland Game Hunt Application, FWS Form 3–2356) are available at the Route 89 Hunter Check Station on a first-come, first-served basis, issued by refuge personnel or available on a self-service basis; hunters must come to the Route 89 Hunter Check Station to obtain a permit each day they hunt.

5. We issue a maximum of 300 archery and 175 firearms hunt permit cards each day on a first-come, first-served basis.

6. Hunters must fill out Part A of the daily hunt permit card (Big/Upland Game Hunt Application, FWS Form 3–2356) at check-in and leave it with refuge personnel or deposit it in the Part A box at the Route 89 Hunter Check Station.

7. Hunters must carry Part B of the daily hunt permit card (Big/Upland

Game Hunt Application, FWS Form 3–2356) while hunting the refuge.

8. Hunters must complete Part B (Big/Upland Game Hunt Application, FWS Form 3–2356) and deposit it in the Part B box at the Route 89 Hunter Check Station by the end of the hunt day.

9. Successful hunters must bring their deer to the Route 89 Hunter Check Station, or other refuge-specific location, on days designated by the refuge manager in order for deer to be checked.

10. Firearms hunters must wear in a visible manner on the head, chest, and back a minimum of 400 square inches (2,580.6 square centimeters) of solid, blaze orange. Ground blinds must be marked on all sides with a minimum of 400 square inches (2,580.6 square centimeters) of solid, blaze orange.

11. Hunting weapon restrictions follow New York State regulations; successful harvest with a bow or other weapon during firearms season requires use of a firearms season tag.

12. Advanced scouting of the refuge, prior to the hunting season, will be allowed during a time set by the refuge manager.

13. We prohibit boats and canoes on refuge pools. We prohibit hunting on the open-water portions of the refuge pools until the pools are frozen; when frozen, we allow access for hunting only to the Main Pool and Tschache Pool at the refuge manager's discretion based on safety factors and habitat conditions.

14. We prohibit use of all-terrain vehicles (ATVs) (see § 27.31(f) of this chapter), dirt bikes, bicycles, snowmobiles, and watercraft for the purpose of white-tailed deer hunting.

15. Hunters may only use portable tree stands and must remove them (see § 27.93 of this chapter) from the refuge each day.

16. We prohibit screw-in tree steps, nails, and any object used to puncture the bark of a tree; we do allow climbing tree stands that grip the tree (see § 32.2(i)).

17. We allow white-tailed deer hunters to be on the refuge during the period that begins 1 hour before legal sunrise (except for opening day) and ends 1 hour after legal sunset.

18. On opening day of both archery and firearms seasons, we allow hunters on the refuge during the period that begins 2 hours before legal sunrise and ends 1 hour after legal sunset.

19. We prohibit parking and walking along the Wildlife Drive for the purpose of hunting, unless otherwise posted by refuge personnel. Upland areas adjacent to the Wildlife Drive will be open to white-tailed deer hunting each year on December 1 unless otherwise stated by the refuge manager. The Seneca Trail and refuge headquarters areas will be open to white-tailed deer hunting during the refuge's late archery/muzzleloader season unless otherwise stated by the refuge manager.

20. Incentive programs to address deer density issues may be implemented during the refuge hunting season. Incentive programs may include, but are not limited to, issuing New York State Deer Management Assistance Permit tags to refuge hunters, or implementing an ''earn a buck'' or similar program.

D. Sport Fishing. Anglers may access the New York State Barge Canal System Waters at established fishing access sites on the refuge. You may either bank fish or boat fish in accordance with State regulations.

* * * * *

Wallkill National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of migratory birds on designated areas of the refuge in accordance with State of New York regulations and subject to the following conditions:

1. We require hunters to submit a Migratory Bird Hunt Application/Permit (information taken from OMB-approved Migratory Bird Hunt Application, FWS Form 3–2357) to hunt on the refuge. We require hunters to possess a signed refuge hunt permit (name and address only) at all times while scouting and hunting on the refuge. We charge a fee for all hunters except youth age 16 and younger.

2. We issue one companion permit (no personal information) at no charge to each hunter. We allow companions to observe and/or call but not to shoot a firearm or bow. Companion and hunters must set up in the same location.

3. We provide hunters with hunt maps and parking permits (name only) that they must clearly display in their vehicle. Hunters who park on the refuge must park in identified hunt parking areas.

4. We prohibit the use of all-terrain vehicles (ATVs) on the refuge.

5. We require hunters to wear, in a conspicuous manner, a minimum of 400 square inches (2,580.6 square centimeters) of solid-color, hunter-orange clothing or material on the head, chest, and back, except when hunting ducks and geese.

6. We prohibit hunters using or erecting permanent or pit blinds.

7. We require hunters to remove all hunting blind material, boats, and decoys from the refuge at the end of each hunting season (see § 27.93 of this chapter).

8. We allow pre-hunt scouting; however, we prohibit the use of dogs during scouting.

9. We limit the number of dogs per hunting party to no more than two dogs.

10. We allow hunters to enter the refuge 2 hours before shooting time, and they must leave no later than 2 hours after the end of shooting time.

11. We prohibit Sunday hunting.

12. We prohibit hunting after November 30.

B. Upland Game Hunting. We allow hunting of rabbit/hare, gray/black/fox squirrel, pheasant, bobwhite quail, ruffed grouse, crow, red/gray fox, coyote, bobcat, raccoon, skunk, mink, weasel, and opossum on designated areas of the refuge in accordance with State of New York regulations and subject to the following conditions:

1. We require hunters to submit a Big Game Hunt Application/Permit (information taken from OMB-approved Big/Upland Game Hunt Application, FWS Form 3–2356) to hunt on the refuge. We require hunters to possess a signed refuge hunt permit (name and address only) at all times while scouting and hunting on the refuge. We charge a fee for all hunters except youth age 16 and younger.

2. Conditions A3 through A5, and A10 through A12 apply.

3. We prohibit scouting.

4. We prohibit the use of dogs during hunting.

5. We prohibit baiting on refuge lands (see § 32.2(h)).

6. We prohibit night hunting.

7. We prohibit hunting of reptiles and amphibians.

8. We prohibit falconry hunting.

C. Big Game Hunting. We allow hunting of white-tailed deer, bear, and wild turkey on designated areas of the refuge in accordance with State of New York regulations and subject to the following conditions:

1. Conditions A3, A4, A8, A10 through A12, B1, B4, and B5 apply.

2. We require firearm hunters to wear, in a conspicuous manner, a minimum of 400 square inches (2,580.6 square centimeters) of solid-color, hunter-orange clothing or material on the head, chest and back. Bow hunters must meet the same requirements when firearm season is also open. We do not require turkey hunters to wear orange at any time.

3. We allow pre-hunt scouting.

4. We require hunters to remove all stands and other hunting material from the refuge at the end of each hunting season (see § 27.93 of this chapter).

5. We prohibit deer drives.

D. Sport Fishing. We allow fishing in designated sections of the refuge in both

New York and New Jersey in accordance with State regulations and subject to the following conditions:

1. We allow fishing in and along the banks of the Wallkill River. We allow shore fishing only in the pond at Owens Station Crossing, Vernon, New Jersey.

2. Anglers may fish from legal sunrise to legal sunset.

3. We require that anglers park in designated parking areas to access the Wallkill River through the refuge.

4. On refuge ponds, you may perform only catch-and-release fishing. We prohibit the use of live bait fish on refuge ponds.

5. We prohibit ice fishing on refuge ponds.

6. We prohibit the taking of reptiles and amphibians.

7. We prohibit the digging or collecting of bait.

8. We prohibit commercial fishing on the refuge.

* * * * *

■ 26. Amend § 32.52 by revising the entry for Pocosin Lakes National Wildlife Refuge by:

■ a. Revising paragraphs A.3, A.4, and A.10.

■ b. Revising paragraphs C.2, C.3, C.4, and C.5.

■ c. Removing paragraphs C.6 and C.7.

■ d. Redesignating paragraphs C.8 through C.11 as C.6 through C.9, respectively.

■ e. Revising newly designated paragraph C.7.

The revisions read as follows:

§ 32.52 North Carolina.

* * * * *

Pocosin Lakes National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

3. We require all hunters and anglers to possess and carry a signed, self-service refuge hunting/fishing permit (signed brochure) while hunting and fishing on the refuge. We require all hunters age 16 and older to purchase and carry a special refuge recreational activity permit (name/address/phone number).

4. We open the refuge for daylight use only (1–2 hour before legal sunrise to 1–2 hour after legal sunset), except that we allow hunters to enter and remain in hunting areas from 2 hours before legal sunrise until 2 hours after legal sunset when we allow hunting in those areas.

* * * * *

10. We allow the use of only portable blinds and temporary blinds constructed of natural materials, but we prohibit cutting any live vegetation on the refuge (see § 27.51 of this chapter). You must remove portable blinds (see § 27.93 of this chapter) at the end of each day.

* * * * *

C. Big Game Hunting. * * *

2. You may hunt spring turkey only if you possess and carry a valid permit (General Activities Special Use Permit Application, FWS Form 3–1383–G). These permits are valid only for the dates and areas shown on the permit. We require an application and a fee for those permits and hold a drawing, when necessary, to select the permittees. You may possess only approved nontoxic shot (see § 32.2(k)) while hunting turkeys west of Evans Road and on the Pungo Unit.

3. We allow the use of those weapons authorized by the North Carolina Wildlife Resources Commission (NCWRC) for taking deer, including all ''blackpowder firearms,'' as defined by the NCWRC, but we prohibit the use of rifles and pistols.

4. We allow deer hunting on the Pungo Unit only through the end of October each season, except that we allow deer hunting with archery equipment on the Pungo Unit through the end of November.

5. We allow hunters to take feral hogs in any area that is open to hunting deer using only those weapons authorized for taking deer. We also allow hunters to take feral hogs, using only those weapons authorized for taking deer, on the Frying Pan area tracts whenever we open those tracts to hunting any game species with firearms.

* * * * *

7. We allow the use of only portable deer stands (tree climbers, ladders, tripods, etc.), but we require that you remove all of the stands at the end of each day (see § 27.93 of this chapter). We prohibit hunters inserting anything (spikes, screw-in steps, etc.) into a tree. Hunters may use ground blinds, chairs, buckets, and other such items for hunting, but we require that you remove all of these items at the end of each day (see § 27.93 of this chapter).

* * * * *

■ 27. Amend § 32.53 by:

■ a. Adding, in alphabetical order, an entry for Ardoch National Wildlife Refuge.

■ b. Revising paragraph D under Lake Alice National Wildlife Refuge.

■ c. Adding, in alphabetical order, an entry for Rose Lake National Wildlife Refuge.

■ d. Adding, in alphabetical order, an entry for Silver Lake National Wildlife Refuge.

The additions and revisions read as follows:

§ 32.53 North Dakota.

* * * * *

Ardoch National Wildlife Refuge

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. We allow shore fishing and ice fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow vehicles and fish houses on the ice as conditions allow. We restrict vehicle use to nonvegetated ice areas and designated roads (see § 27.31 of this chapter).

2. We prohibit boats on the refuge.

* * * * *

Lake Alice National Wildlife Refuge

* * * * *

D. Sport Fishing. We allow ice fishing in designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow vehicles and fish houses on the ice as conditions allow. We restrict vehicle use to nonvegetated ice areas and designated roads (see § 27.31 of this chapter).

2. We allow public access for ice fishing from 5:00 a.m. local time to 10:00 p.m. local time.

3. You must remove ice fishing shelters and personal property from the refuge by 10:00 p.m. local time each day.

4. You may not leave unattended fish houses in uplands or in parking areas.

* * * * *

Rose Lake National Wildlife Refuge

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow vehicles and fish houses on the ice as conditions allow. We restrict vehicle use to nonvegetated ice areas and designated roads (see § 27.31 of this chapter).

2. We allow boats on refuge waters south of Nelson County Road 23; we prohibit boats on other refuge waters.

3. We require that shore anglers park vehicles in the designated parking lot.

* * * * *

Silver Lake National Wildlife Refuge

A. Migratory Game Bird Hunting. [Reserved]

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow vehicles and fish houses on the ice as conditions allow. We restrict vehicle use to nonvegetated ice areas and designated roads (see § 27.31 of this chapter).

2. We allow boats on Silver Lake and on refuge waters south of the confluence of the Mauvais Coulee and Little Coulee from May 1 through September 30 of each year.

3. We prohibit water activities not related to fishing (*e.g.,* sailing, skiing, tubing, etc.).

* * * * *

■ 28. Amend § 32.55 by revising the entry for Sequoyah National Wildlife Refuge by:

■ a. Revising paragraphs A.1, A.5, and A.6.

■ b. Revising paragraph B.1.

■ c. Removing paragraphs B.4 and B.5.

■ d. Revising paragraph D.4.

The revisions read as follows:

§ 32.55 Oklahoma.

* * * * *

Sequoyah National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. You must possess and carry a signed refuge brochure (which serves as your Waterfowl/Migratory Game Bird/Upland Game Hunting Permit). The permit/brochure is available free of charge at the refuge headquarters, at various entry points to the refuge, and on our Web site.

* * * * *

5. Hunters must use only legal shotguns and possess only approved nontoxic shot (see § 32.2(k)). Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32).

6. We prohibit construction of pit blinds or permanent blinds. You must reduce blinds to a natural appearance or remove them (see § 27.93 of this chapter) at the end of the day. You must remove all empty shells, litter, decoys, boats, or other personal property (see §§ 27.93 and 27.94 of this chapter) at the end of the day.

* * * * *

B. Upland Game Hunting. * * *

1. Conditions A1, A3, A5, A8, A9, A10, and A12 apply.

* * * * *

D. Sport Fishing. * * *

4. Conditions A7, A8, and A9 apply.

* * * * *

■ 29. Amend § 32.56 by:

■ a. Revising paragraph C under Bear Valley National Wildlife Refuge.

■ b. Under Cold Springs National Wildlife Refuge:

■ i. Revising paragraphs A.3 and A.5.

■ ii. Removing paragraphs A.7 and A.8.

■ iii. Redesignating paragraph A.9 as A.7.

■ iv. Revising paragraph B.2.

■ v. Removing paragraph D.2.

■ vi. Redesignating paragraph D.3 as D.2.

■ c. Revising the introductory text of paragraphs A and D under Klamath Marsh National Wildlife Refuge.

■ d. Under Lower Klamath National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A.

■ ii. Redesignating paragraphs A.1 through A.4 as A.4 through A.7, respectively.

■ iii. Adding paragraphs A.1, A.2, and A.3.

■ iv. Revising the introductory text of paragraph B.

■ v. Redesignating paragraphs B.1 and B.2 as B.2 and B.3, respectively.

■ vi. Adding paragraph B.1.

■ e. Under McKay Creek National Wildlife Refuge:

■ i. Revising paragraph A.3.

■ ii. Removing paragraph A.5.

■ iii. Redesignating paragraph A.6 as A.5.

■ iv. Revising paragraph D.

■ f. Revising paragraph C under McNary National Wildlife Refuge.

■ g. Adding, in alphabetical order, an entry for Tualatin River National Wildlife Refuge.

■ h. Under Umatilla National Wildlife Refuge:

■ i. Revising the introductory text of paragraph A and paragraph A.3.

■ ii. Removing paragraph A.6.

■ iii. Redesignating paragraph A.5 as A.6.

■ iv. Adding paragraph A.5.

■ v. Removing paragraph B.2.

■ vi. Redesignating paragraphs B.3 and B.4 as B.2 and B.3, respectively.

■ vii. Revising newly designated paragraph B.2.

■ viii. Removing and reserving paragraph D.2.

■ i. Revising the introductory text of paragraphs A and D under Upper Klamath National Wildlife Refuge.

■ j. Revising paragraph C under William L. Finley National Wildlife Refuge.

The revisions and additions read as follows:

§ 32.56 Oregon.

* * * * *

Bear Valley National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of deer only on designated areas of the refuge in accordance with State laws and regulations, and subject to the following conditions:

1. Hunting opens concurrent with the State season and closes October 31.

2. We prohibit hunting or public entry of any kind from November 1 to the State-regulated opening day of deer season in the hunting unit.

3. Walk-in access only from designated entry points.

* * * * *

Cold Springs National Wildlife Refuge

A. Migratory Game Bird Hunting.

3. We prohibit discharge of any firearm within 1–4 mile (396 meters (m)) of any maintained building or Federal facility, such as, but not limited to, a structure designed for storage, human occupancy, or shelter for animals. You may not shoot or discharge any firearm from, across, or along a public highway, designated route of travel, road, road shoulder, road embankment, or designated parking area.

* * * * *

5. We allow hunting only on Tuesdays, Thursdays, Saturdays, Sundays, and all federally-recognized holidays within the State season.

* * * * *

*B. Upland Game Hunting.** * *

2. We allow hunting from 12 p.m. (noon) to legal sunset on Tuesdays, Thursdays, Saturdays, Sundays, and all federally recognized holidays within the State season.

* * * * *

Klamath Marsh National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot and common snipe on designated areas of the refuge in accordance with State laws and regulations, and subject to the following conditions:

* * * * *

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State laws and regulations, and subject to the following conditions:

* * * * *

Lower Klamath National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot and common snipe on designated areas of the refuge in accordance with State laws

and regulations, and subject to the following conditions:

1. In the controlled waterfowl hunting area, we require a Refuge Recreation Pass (passholder/expiration date) for all hunters age 16 or older. An adult with a valid Recreation Pass (passholder/expiration date) must accompany hunters younger than the age of 16 who are hunting in the controlled area.

2. We require advance reservations for the first 2 days of the hunting season. You may obtain a reservation through the Waterfowl Lottery (Migratory Bird Hunt Application, FWS form 3–2357) each year.

3. Entry hours begin at 5:00 a.m. unless otherwise posted.

* * * * *

B. Upland Game Hunting. We allow hunting of pheasant on designated areas of the refuge in accordance with State regulations, and subject to the following conditions:

1. You must wear an outer garment above the waist that is at least 50 percent blaze orange and visible from both front and back. Outer garments may consist of hat or cap, vest, jacket, shirt, or coat.

* * * * *

McKay Creek National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

3. We prohibit discharge of any firearm within ¼ mile (396 m) of any maintained building or Federal facility, such as, but not limited to, a structure designed for storage, human occupancy, or shelter for animals. You may not shoot or discharge any firearm from, across, or along a public highway, designated route of travel, road, road shoulder, road embankment, or designated parking area.

* * * * *

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions: Condition A1 applies.

* * * * *

McNary National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow deer hunting on designated areas of the refuge in accordance with State regulations and special conditions listed for McNary National Wildlife Refuge in the State of Washington.

* * * * *

Tualatin River National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow waterfowl hunting on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Age: Youth age 17 and younger may participate as active hunters. Youth must be accompanied by an adult age 21 or older. Supervising adults are not allowed to hunt.

2. A maximum of two hunting youth will be allowed per hunting blind. At least one nonhunting supervising adult must accompany youth hunters. Additional nonhunters may also occupy the blind with a hunting youth and nonhunting adult supervisor for a maximum occupancy of 4 persons per blind.

3. Disabled youth hunters must possess an Oregon Disabilities Hunting and Fishing Permit issued by the Oregon Department of Fish and Wildlife (ODFW) to qualify for preference in using the designated accessible hunting blind (see *http://www.dfw.state.or.us/resources/hunting/disability* for further information).

4. We will assign blinds by a random drawing of applications.

5. Hunting season will begin on the last weekend of October, as conditions permit, and run through the end of the regular State hunting season. The refuge will not be open for the 3rd period northwest permit zone goose hunt.

6. Hunting hours: Official start times are listed in the shooting hours table in the Oregon game bird regulations. Shooting time ends at 1:00 p.m. for the entire season.

7. We open the hunt area for access 1½ hours before legal shooting hours.

8. You must remove decoys, other personal property, and trash.

9. We allow dogs for retrieving waterfowl.

10. We prohibit possession of shot size larger than BB.

11. All hunters must hunt from designated blinds.

12. We restrict vehicles to designated public use roads and designated parking areas. No overnight camping or parking.

13. All hunters must have visible means of retrieving waterfowl such as float tube, waders, or a dog capable of retrieving. We prohibit motorized boats.

14. Hunters must check-in and check-out at a designated check station. You must report harvest of ducks prior to leaving the refuge. Harvest of geese must be checked at an ODFW-operated goose check station.

15. We prohibit possession of alcohol by any person in the hunt area.

B. Upland Game Hunting. [Reserved]

C. Big Game Hunting. [Reserved]

D. Sport Fishing. [Reserved]

Umatilla National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, dove, and snipe on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

3. We prohibit discharge of any firearm within 1–4 mile (396 meters (m)) of any maintained building or Federal facility, such as, but not limited to, a structure designed for storage, human occupancy, or shelter for animals. You may not shoot or discharge any firearm from, across, or along a public highway, designated route of travel, road, road shoulder, road embankment, or designated parking area.

* * * * *

5. We allow dove hunting only on the Boardman Unit.

* * * * *

B. Upland Game Hunting. * * *

2. On the McCormack Fee Hunt Unit, we allow hunting only on Wednesdays, Saturdays, Sundays, Thanksgiving Day, and New Year's Day from 12 p.m. (noon) to legal sunset of each hunt day.

* * * * *

Upper Klamath National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, coot, and common snipe on designated areas of the refuge in accordance with State laws and regulations, and subject to the following conditions:

* * * * *

D. Sport Fishing. We allow fishing in designated areas of the refuge in accordance with State laws and regulations, and subject to the following conditions:

* * * * *

William L. Finley National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow deer and elk hunting on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We allow deer and elk hunting on designated dates from ½ hour before legal sunrise until ½ hour after legal sunset. We post these refuge-specific regulations at self-service hunt kiosks.

2. You may harvest only antlerless elk with appropriate State-issued tags.

3. We prohibit overnight camping or after-hours parking on the refuge.

4. We prohibit hunting from any refuge structure, observation blind, or boardwalk.

5. We require all hunters to register at a self-service hunt kiosk. All hunters must complete a Big Game Harvest

Report (FWS Form 3–2359), after each hunt day.

6. Hunters may use portable or climbing stands but must remove them from the refuge daily (see § 27.93 of this chapter). The Service takes no responsibility for the loss or theft of tree stands left in the field.

7. We restrict vehicles to designated public use roads and designated parking areas.

8. We prohibit the use of dogs during hunting.

9. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

10. We prohibit the use of game and trail cameras.

* * * * *

■ 30. Amend § 32.60 by:
■ a. Under Carolina Sandhills National Wildlife Refuge:
■ i. Revising paragraph A.1.
■ ii. Removing paragraph A.2.
■ iii. Redesignating paragraphs A.3 through A.5 as A.2 through A.4, respectively.
■ iv. Revising newly designated paragraphs A.3 and A.4.
■ v. Adding paragraph A.5.
■ vi. Revising paragraph A.9.
■ vii. Revising paragraph B.5.
■ viii. Revising paragraphs C.1, C.2, C.5, C.9, C.11, and C.12.
■ ix. Removing paragraph C.14.
■ x. Redesignating paragraphs C.15 through C.20 as C.14 through C.19, respectively.
■ xi. Revising paragraph D.9.
■ b. Under Pinckney Island National Wildlife Refuge:
■ i. Revising the introductory text of paragraph C.
■ ii. Redesignating paragraphs C.1 through C.16 as C.2 through C.17, respectively.
■ iii. Adding paragraph C.1.
■ iv. Revising newly designated paragraphs C.2 and C.9.
■ v. Adding paragraph C.18.
■ vi. Revising the introductory text of paragraph D.
■ vii. Adding paragraph D.3.
■ c. Under Santee National Wildlife Refuge:
■ i. Revising paragraphs B.7 and B.13.
■ ii. Redesignating paragraphs B.18 through B.20 as B.19 through B.21, respectively.
■ iii. Adding paragraph B.18.
■ iv. Revising paragraphs C.1 and C.7.
■ v. Removing paragraph C.11.
■ vi. Redesignating paragraphs C.12 through C.14 as C.11 through C.13, respectively.
■ vii. Adding paragraph C.14.
■ viii. Revising paragraph D.1.
■ ix. Adding paragraph D.10.

The revisions and additions read as follows:

§ 32.60 South Carolina.

* * * * *

Carolina Sandhills National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

1. All hunters must possess and carry a signed refuge General Hunt Permit (signed brochure) and government-issued picture identification.

* * * * *

3. Each youth hunter (younger than age 16) must remain within sight and normal voice contact and under supervision of an adult age 21 or older with a valid license and applicable permit. Each adult may supervise no more than two youth hunters. Each youth hunter must possess and carry evidence of successful completion of a State-approved hunter education course.

4. We prohibit loaded hunting firearms (see § 27.42 of this chapter) within 100 feet (30.5 meters) of maintained refuge roads or within 500 feet (152.4 meters) of the paved visitor's drive. We prohibit discharge of any weapon on or across any part of the refuge road system. We define a ''loaded firearm'' as a firearm with shells in the magazine or chamber, or, for muzzleloaders, a gun with the percussion caps put in place.

5. We prohibit the possession or use of alcoholic beverages while hunting.

* * * * *

9. We prohibit the possession or use of more than 50 shotgun shells during the September dove hunts.

B. Upland Game Hunting. * * *

5. All persons participating in refuge firearms hunts must wear at least 500 square inches (3,225.8 square centimeters) of unbroken, fluorescent-orange material above the waist as an outer garment that is visible from all sides while hunting and while en route to and from hunting areas. This does not apply to raccoon and opossum hunters.

C. Big Game Hunting. * * *

1. Conditions A1 through A5 and A8 apply (with the following exception for condition A3: Each adult may supervise no more than one youth hunter.).

2. On the day of your successful hunt, and prior to removing any harvested deer, feral hog, or turkey from the refuge, you must complete the Big Game Harvest Report (FWS Form 3–2359).

* * * * *

5. During the primitive weapons hunt, you may use bow and arrow, crossbows, muzzleloading shotguns (20 gauge or larger), or muzzleloading rifles (.40 caliber or larger). We prohibit revolving rifles and black-powder handguns.

* * * * *

9. We prohibit the use of plastic flagging to mark trees or other refuge features.

* * * * *

11. We prohibit the use of all-terrain vehicles (ATVs), except by mobility-impaired hunters with a Special Use Permit (Permit Application Form: National Wildlife Refuge System General Activities, FWS Form 3–1383–G) during big game hunts. Mobility-impaired hunters must have a State Disabled Hunting license in order to receive the Special Use Permit.

12. We prohibit turkey hunters from calling a turkey for another hunter unless both hunters have been selected for the refuge turkey hunts.

* * * * *

D. Sport Fishing. * * *

9. We prohibit the use or possession of alcoholic beverages while fishing.

* * * * *

Pinckney Island National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We only allow hunting on the refuge by lottery. We require an application fee to enter the hunt lottery.

2. We require a refuge hunt permit (name/address/phone number) for all hunters chosen in the lottery who are age 16 and older. You must sign the refuge hunt permit and carry it at all times when hunting. We charge a fee for all hunt permits.

* * * * *

9. We allow only shotguns (20 gauge or larger; slugs only), muzzleloaders, and bows, in accordance with State regulations, for hunting.

* * * * *

18. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (§ 27.42 of this chapter and specific refuge regulations in part 32.)

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

* * * * *

3. We require a South Carolina saltwater fishing license.

Santee National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

7. Hunters must unload and case, or lock in a secure compartment, hunting firearms when transporting them in vehicles and boats during refuge hunts. We define a loaded firearm as having ammunition in the chamber or magazine. We will consider muzzleloaders unloaded if the percussion cap is not seated in the chamber.

* * * * *

13. We prohibit hunting from within 100 feet (30.5 meters) of any roadway, whether open or closed to vehicular traffic, or from or within 300 yards (274.3 meters) of any designated hunter check station.

* * * * *

18. We will open hunting areas from 5 a.m. until 8:30 p.m. during designated hunt periods. We require all hunters to personally sign in and sign out at designated hunter check stations when entering and exiting any portion of the refuge and report all game harvested by 8:30 p.m.

* * * * *

C. Big Game Hunting. * * *

1. Conditions B1 through B18 apply.

* * * * *

7. Deer hunting must occur from portable, elevated deer stands that are no less than 10 feet (3 meters) above ground; we prohibit ground blinds. We allow only one stand per hunter, and the hunter must clearly mark the stand with their full name, date, and phone number.

* * * * *

14. We prohibit the use of boats to access upland areas except to access the Plantation Islands. We allow the use of nonmotorized boats to access the interior canals to inland areas open to hunting.

D. Sport Fishing. * * *

1. A valid State fishing license and a signed refuge fishing permit (signed brochure) must be in each angler's possession while fishing on the refuge, except that we require all recreational fishing boat operators to have only one refuge fishing permit per boat.

* * * * *

10. We prohibit mooring or attaching boats to any refuge boundary marker, post, or navigational post within refuge waters. We also prohibit attaching signs, trotlines, fishing devices, or any other objects to trees, posts, or markers within refuge boundaries.

* * * * *

■ 31. Amend § 32.62 by:

■ a. Under Chickasaw National Wildlife Refuge:

■ i. Revising paragraph A.2.

■ ii. Removing paragraph A.11.

■ iii. Redesignating paragraph A.12 as A.11.

■ iv. Revising paragraph B.2.

■ v. Removing paragraph D.6.

■ b. Adding paragraph A.11 under Cross Creeks National Wildlife Refuge.

■ c. Under Hatchie National Wildlife Refuge:

■ i. Revising paragraph A.2.

■ ii. Removing paragraph A.8.

■ iii. Redesignating paragraphs A.9 through A.12 as A.8 through A.11, respectively.

■ iv. Revising newly designated paragraph A.10.

■ v. Revising paragraph D.7.

■ d. Under Lake Isom National Wildlife Refuge:

■ i. Revising paragraph B.2.

■ ii. Removing paragraph B.9.

■ iii. Redesignating paragraphs B.10 through B.16 as B.9 through B.15, respectively.

■ iv. Revising newly designated paragraph B.12.

■ e. Under Lower Hatchie National Wildlife Refuge:

■ i. Revising paragraphs A.2 and A.11.

■ ii. Removing paragraph A.12.

■ iii. Redesignating paragraph A.13 as A.12.

■ iv. Removing paragraph D.8.

■ f. Under Reelfoot National Wildlife Refuge:

■ i. Revising paragraph B.2.

■ ii. Removing paragraph B.9.

■ iii. Redesignating paragraphs B.10 through B.16 as B.9 through B.15, respectively.

■ iv. Revising newly designated paragraph B.12.

■ v. Removing paragraphs D.5, D.6, D.7, and D.8.

■ g. Revising paragraphs A.12, D.1, and D.4 under Tennessee National Wildlife Refuge.

The revisions and additions read as follows:

§ 32.62 Tennessee.

* * * * *

Chickasaw National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. We allow only legally licensed vehicles on maintained refuge roads and parking areas. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), and off-road motorized vehicles. We prohibit airboats, jet skis, hovercrafts, etc. We prohibit parking as to block travel through refuge access roads, gates, and trails (see § 27.31(h) of this chapter).

* * * * *

B. Upland Game Hunting. * * *

2. We allow hunters to access the refuge no more than 2 hours before legal sunrise to no later than 2 hours after legal sunset with the exception of raccoon and opossum hunters who may access the refuge from legal sunset to legal sunrise.

* * * * *

Cross Creeks National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

11. We prohibit the use of lead shot.

* * * * *

Hatchie National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. We allow only legally licensed vehicles on maintained refuge roads and parking areas. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), and off-road motorized vehicles. We prohibit airboats, jet skis, hovercrafts, etc. We prohibit parking as to block travel through refuge access roads, gates, and trails (see § 27.31(h) of this chapter).

* * * * *

10. We prohibit cutting of holes, lanes, or other manipulation of vegetation (*e.g.,* cutting bushes and trees, mowing, herbicide use, and other actions) (see § 27.51 of this chapter).

* * * * *

D. Sport Fishing. * * *

7. We only allow fishing boats of 18 feet (5.5 meters) or less in length on refuge lakes.

* * * * *

Lake Isom National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

2. We allow only legally licensed vehicles on maintained refuge roads and parking areas. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), and off-road motorized vehicles. We prohibit airboats, jet skis, hovercrafts, etc. We prohibit parking as to block travel through refuge access roads, gates, and trails (see § 27.31(h) of this chapter).

* * * * *

12. We prohibit cutting of holes, lanes, or other manipulation of vegetation (*e.g.,* cutting bushes and trees, mowing, herbicide use, and other actions) (see § 27.51 of this chapter).

* * * * *

Lower Hatchie National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. We allow only legally licensed vehicles on maintained refuge roads and

parking areas. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), and off-road motorized vehicles. We prohibit airboats, jet skis, hovercrafts, etc. We prohibit parking as to block travel through refuge access roads, gates, and trails (see § 27.31(h) of this chapter).

* * * * *

11. We prohibit cutting of holes, lanes, or other manipulation of vegetation (*e.g.,* cutting bushes and trees, mowing, herbicide use, and other actions) (see § 27.51 of this chapter).

* * * * *

Reelfoot National Wildlife Refuge

* * * * *

B. Upland Game Hunting. * * *

2. We allow only legally licensed vehicles on maintained refuge roads and parking areas. We prohibit all-terrain vehicles (ATVs), utility-type vehicles (UTVs), and off-road motorized vehicles. We prohibit airboats, jet skis, hovercrafts, etc. We prohibit parking as to block travel through refuge access roads, gates, and trails (see § 27.31(h) of this chapter).

* * * * *

12. We prohibit cutting of holes, lanes, or other manipulation of vegetation (*e.g.,* cutting bushes and trees, mowing, herbicide use, and other actions) (see § 27.51 of this chapter).

* * * * *

Tennessee National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

12. We prohibit the use of lead shot.

* * * * *

D. Sport Fishing. * * *

1. We allow fishing in Swamp Creek, Sulphur Well Bay, and Bennetts Creek from March 16 through November 14. The remainder of the refuge portion of Kentucky Lake will remain open year-round. We allow bank fishing year-round along Refuge Lake from the New Johnsonville Pump Station.

* * * * *

4. We allow fishing on interior refuge impoundments from ½ hour before legal sunrise to ½ hour after legal sunset from March 16 to November 14.

* * * * *

■ 32. Amend § 32.63 by:

■ a. Under Big Boggy National Wildlife Refuge:

■ i. Revising paragraph A.2.

■ ii. Adding paragraphs A.6, A.7, A.8, A.9, A.10, A.11, A.12, A.13, and A.14.

■ b. Under Brazoria National Wildlife Refuge:

■ i. Revising paragraph A.

■ ii. Revising paragraph D.5.

■ iii. Adding paragraph D.8.

■ c. Under Lower Rio Grande Valley National Wildlife Refuge:

■ i. Revising paragraph A.

■ ii. Revising paragraph C.1.

■ iii. Adding paragraph C.13.

■ d. Under San Bernard National Wildlife Refuge:

■ i. Revising paragraphs A.2 and A.4.

■ ii. Adding paragraphs A.7, A.8, A.9, A.10, A.11, A.12, A.13, A.14, and A.15.

■ iii. Adding paragraph D.4.

The revisions and additions read as follows:

§ 32.63 Texas.

* * * * *

Big Boggy National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. Hunters may enter the refuge hunt units no earlier than 4 a.m. Hunting starts at the designated legal shooting time and ends at 12 p.m. (noon). Hunters must leave refuge hunt units by 1:00 p.m.

* * * * *

6. We prohibit the building or use of pits and permanent blinds (see §§ 27.92 and 27.93 of this chapter).

7. We only allow the use of motorized boats, including airboats, in open tidal waters. We prohibit the operation of motorized boats on or through emergent and submergent wetland vegetation, or in shallow water where bottom gouging could occur. Motorized boats may enter shallow water by drifting, polling, or by means of trolling motor where it does not cause damage to the bottom.

8. You must remove all decoys, boats, spent shells, marsh chairs, vegetation (blind material), and other equipment (see § 27.93 of this chapter) from the refuge daily. We prohibit the use of plastic flagging, reflectors, or reflective tape.

9. We prohibit the use or possession of alcoholic beverages in all public hunting areas and parking lots.

10. We prohibit camping and/or campfires in all public hunting areas and parking lots.

11. We prohibit blocking of gates and roadways (see § 27.31(h) of this chapter). We prohibit vehicles operating off-road for any reason. Hunters must park vehicles in designated parking areas, and in such a manner as to not obstruct normal vehicle traffic.

12. The minimum allowed distance between hunt parties is 100 yards (91.44 meters).

13. We prohibit entry (scouting) in the public waterfowl hunting areas prior to the opening of the State-specified waterfowl hunting seasons.

14. We restrict vehicle access to service roads not closed by gates or signs. We prohibit the use of motorized vehicles (see § 27.31 of this chapter). You may access hunt units from land only by foot or nonmotorized bicycle. You may access public waterfowl hunting areas by motorized boat from State waters, where applicable.

* * * * *

Brazoria National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of goose, duck, and coot on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. Season dates will be concurrent with the State for the September teal season, youth-only season, and duck and coot regular season in the Texas South Zone, and goose regular season in the Texas East Zone, with the exception that we will prohibit duck (not including the September teal and youth-only seasons) and coot hunting on the refuge until the last Saturday in October. If the State-specified duck and coot regular season opens later than the last Saturday in October, then hunting on the refuge will open consistent with the State-specified season date.

2. Hunters may enter the refuge hunt units no earlier than 4 a.m. Hunting starts at the designated legal shooting time and ends at 12 p.m. (noon). Hunters must leave refuge hunt units by 1:00 p.m.

3. We allow hunting in the Alligator Marsh public waterfowl hunting area (see map) daily during the September Teal season and on Saturdays, Sundays, and Wednesdays of the regular waterfowl season.

4. We prohibit the building of pits and permanent blinds.

5. We only allow the use of motorized boats, including airboats, in open tidal waters. We prohibit the operation of motorized boats on or through emergent and submergent wetland vegetation, or in shallow water where bottom gouging could occur. Motorized boats may enter shallow water by drifting, polling, or by means of trolling motor where it does not cause damage to the bottom.

6. We prohibit target practice on the refuge.

7. Persons possessing, transporting, or carrying firearms on national wildlife refuges must comply with all provisions of State and local law. Persons may only use (discharge) firearms in accordance with refuge regulations (see § 27.42 of this chapter and specific refuge regulations in part 32).

8. You must remove all decoys, boats, spent shells, marsh chairs, vegetation (blind material), and other equipment (see § 27.93 of this chapter) from the refuge daily. We prohibit the use of

plastic flagging, reflectors, or reflective tape.

9. We prohibit the use or possession of alcoholic beverages in all public hunting areas and parking lots.

10. We prohibit camping and/or campfires in all public hunting areas and parking lots.

11. We prohibit blocking of gates and roadways (see § 27.31(h) of this chapter). We prohibit vehicles operating off-road for any reason. Hunters must park vehicles in designated parking areas, and in such a manner as to not obstruct normal vehicle traffic.

12. The minimum allowed distance between hunt parties is 100 yards (91.44 meters (m)).

13. We allow the retrieval of downed waterfowl inside a 100-yard (91.44-m) retrieval zone west of Middle bayou. We also allow the retrieval of downed waterfowl inside a 100-yard (91.44-m) retrieval zone around the portions of Alligator Lake that are open to hunting.

14. We prohibit entry (scouting) in the public waterfowl hunting areas prior to the opening of the State-specified waterfowl hunting seasons.

15. We restrict vehicle access to service roads not closed by gates or signs. We prohibit the use of motorized vehicles (see § 27.31 of this chapter). You may access hunt units from land only by foot or nonmotorized bicycle. You may access public waterfowl hunting areas by motorized boat from State waters, where applicable.

16. We prohibit hunting in Salt Lake, Nicks Lake, and East Lost Lake, which are refuge waters designated as public fishing areas.

* * * * *

D. Sport Fishing. * * *

5. We only allow nonmotorized boat launching at the Salt Lake and Clay Banks public fishing areas. The refuge provides no other boat launching facilities. Anglers must park motor vehicles used for launching nonmotorized boats at the Salt Lake and Clay Banks public fishing areas in the designated parking area.

* * * * *

8. Condition A5 applies.

* * * * *

Lower Rio Grande Valley National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of mourning, white-winged, and white-tipped dove on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. The hunting season will be concurrent with the State season. We publish this information in the refuge hunting sheet.

2. The bag and possession limits will be consistent with State regulations.

3. You must possess and use only approved nontoxic shot for hunting while in the field (see § 32.2(k)).

4. Hunters must contact the refuge office for designated tracts of the refuge and details.

5. We may close refuge tracts to hunting for the protection of resources, as determined by the refuge manager.

6. We require hunters to pay a fee to obtain a refuge hunt permit (name only required) and to possess and carry such permit at all times during your designated hunt period. Hunters must also display the refuge-issued vehicle placard (part of the hunt permit) while participating in the designated hunt period. Hunters, including youth hunters, must also have a valid hunting license, proof of hunter's education certification, and picture identification in order to obtain a refuge hunt permit and must the items listed in this condition A6 while on the refuge hunt.

7. You should park in designated refuge parking areas if they are available. You may park along County roads; however, you must not block the path of traffic, access to the refuge, or private property. We will tow inappropriately parked vehicles at the owner's expense.

8. We define youth hunters as ages 9 to 16. A Texas-licensed, adult hunter, age 17 or older who has successfully completed a Hunter Education Training course, must accompany youth hunters. We exempt those persons born prior to September 2, 1971, from the Hunter Education Training Course requirement. We define accompanied as being within normal voice contact. Each adult hunter may supervise only one youth hunter.

9. You may access the refuge during your permitted hunt period from 1 hour before legal hunt time to 1 hour after legal hunt time; however, you may not hunt outside of the legal hunt hours.

10. Your licenses, permits, hunting equipment, effects, and vehicles or other conveyances are subject to inspection by Federal, State, and local law enforcement officers.

11. We restrict hunt participants to those listed on the refuge hunt permit (hunter, nonhunting chaperone, and nonhunting assistant). We require all participants to wear hunter orange according to Texas State regulations: 400 square inches (2,580.6 square centimeters) that is visible on the chest, back, and head.

12. We allow only the hunter to hunt and carry or discharge the applicable hunting shotgun, muzzleloader, rifle, or bow.

13. We allow hunters to use bicycles on designated routes of travel.

14. You may use properly trained retriever dogs to retrieve doves during the hunt, but the dog must be under the control of the handler at all times (dogs must not be allowed to roam free).

15. We prohibit hunters discharging firearms for any purpose other than to take or attempt to take a game bird listed in the introductory text of this paragraph A.

16. We prohibit use of flagging or any other type of marker.

17. We prohibit hunters cutting or trimming any vegetation or brush.

18. We prohibit overnight camping.

19. We prohibit the use of motorized vehicles.

20. We prohibit the use or possession of alcohol while hunting on the refuge.

21. We prohibit the use or possession of bait during scouting or hunting. We consider bait to be anything that may be eaten or ingested by wildlife.

22. We reserve the right to revoke or deny any permit for up to 5 years for the following conditions: Lack of public safety to a degree that may endanger oneself or other persons or property; multiple regulation violations; or aggressive, abusive, or intimidating demeanor to any employee of the United States or of any local or State government engaged in official business, or with any private person engaged in the pursuit of an allowed activity on the refuge.

* * * * *

C. Big Game Hunting. * * *

1. Conditions A4 through A13 and A16 through A22 apply.

* * * * *

13. We annually establish specific bag limits for white-tailed deer based on survey data provided by the refuge or State. We establish no bag limits for feral hog or nilgai antelope. We publish this information in the refuge hunting sheet.

* * * * *

San Bernard National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

2. Hunters may enter the refuge hunt units no earlier than 4 a.m. Hunting starts at the designated legal shooting time and ends at 12 p.m. (noon). Hunters must leave refuge hunt units by 1:00 p.m.

* * * * *

4. Hunters may possess no more than 25 shot shells (in the aggregate) in the Sargent Permit Waterfowl Hunt Area.

* * * * *

7. We prohibit the building or use of pits and permanent blinds (see §§ 27.92 and 27.93 of this chapter).

8. We only allow the use of motorized boats, including airboats, in open tidal waters. We prohibit the operation of motorized boats on or through emergent and submergent wetland vegetation, or in shallow water where bottom gouging could occur. Motorized boats may enter shallow water by drifting, polling, or by means of trolling motor where it does not cause damage to the bottom.

9. You must remove all decoys, boats, spent shells, marsh chairs, vegetation (blind material), and other equipment (see § 27.93 of this chapter) from the refuge daily. We prohibit the use of plastic flagging, reflectors, or reflective tape.

10. We prohibit the use or possession of alcoholic beverages in all public hunting areas and parking lots.

11. We prohibit camping and/or campfires in all public hunting areas and parking lots.

12. We prohibit blocking of gates and roadways (see § 27.31(h) of this chapter). We prohibit vehicles operating off-road for any reason. Hunters must park vehicles in designated parking areas, and in such a manner as to not obstruct normal vehicle traffic.

13. The minimum allowed distance between hunt parties is 100 yards (91.44 meters).

14. We prohibit entry (scouting) in the public waterfowl hunting areas prior to the opening of the State-specified waterfowl hunting seasons.

15. We restrict vehicle access to service roads not closed by gates or signs. We prohibit the use of motorized vehicles (see § 27.31 of this chapter). You may access hunt units from only by foot or nonmotorized bicycle. You may access public waterfowl hunting areas by motorized boat from State waters, where applicable.

* * * * *

D. Sport Fishing. * * *

4. Condition A8 applies.

* * * * *

■ 33. Amend § 32.65 by revising the entry for Missisquoi National Wildlife Refuge by:

■ a. Adding paragraph A.3.

■ b. Adding paragraph B.9.

■ c. Revising the introductory text of paragraph C and paragraph C.1.

■ d. Adding paragraph C.9.

The revisions and additions read as follows:

§ 32.65 Vermont.

* * * * *

Missisquoi National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

3. On the Eagle Point Unit, we allow hunting of goose, duck, brant, merganser, coot, woodcock, and snipe in accordance with State regulations and these refuge-specific regulations:

i. You may possess only approved nontoxic shot shells (see § 32.2(k)) in quantities of 25 or fewer per day.

ii. We prohibit permanent blinds.

iii. You must use at least six decoys.

iv. Unarmed hunters may scout open hunting areas before a particular season opens but in no case before September 1. We do not require a hunting permit for scouting.

B. Upland Game Hunting. * * *

9. On the Eagle Point Unit, we allow hunting of cottontail rabbits, snowshoe hare, ruffed grouse, and gray squirrels in accordance with State regulations.

C. Big Game Hunting. We allow hunting of big game in accordance with State regulations and subject to the following conditions:

1. We allow hunting of white-tailed deer. We prohibit hunting of bear, moose, and turkey except under condition C9.

* * * * *

9. On the Eagle Point Unit, we allow hunting of white-tailed deer, bear, moose, and turkey in accordance with State regulations and subject to the following conditions:

i. You may use portable tree stands in accordance with State regulations guiding their use on State Wildlife Management Areas. We prohibit permanent stands and blinds.

ii. We allow training of hunting dogs during the regular hunting seasons as regulated by the State. Dog training outside the regular hunting seasons (June 1 to July 31) will be permitted by Special Use Permit (Permit Application Form: National Wildlife Refuge System General Special Use, FWS Form 1383–G) only.

iii. We require Special Use Permits to train hunting dogs from June 1 to July 31. Permits must be requested in writing from the refuge manager, Missisquoi National Wildlife Refuge.

* * * * *

■ 34. Amend § 32.66 by:

■ a. Revising paragraph C.5 under James River National Wildlife Refuge.

■ b. Revising paragraph C.6 under Presquile National Wildlife Refuge.

■ c. Revising paragraph C.5 under Rappahannock River National Wildlife Refuge.

The revisions read as follows:

§ 32.66 Virginia.

* * * * *

James River National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

5. We allow the take of two deer per day.

* * * * *

Presquile National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

6. We allow the take of two deer per day.

* * * * *

Rappahannock River National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

5. We allow the take of two deer per day.

* * * * *

■ 35. Amend § 32.67 by:

■ a. Under McNary National Wildlife Refuge:

■ i. Revising paragraph A.3.

■ ii. Removing paragraph B.3.

■ iii. Revising the introductory text of paragraph C and paragraph C.2.

■ iv. Adding paragraph C.3.

■ b. Under Umatilla National Wildlife Refuge:

■ i. Revising paragraphs A.3 and A.5.

■ ii. Removing paragraphs A.6 and A.8.

■ iii. Redesignating paragraph A.7 as A.6.

■ iv. Redesignating paragraph A.9 as A.7.

■ v. Revising paragraphs B.1, B.2, and C.1.

■ vi. Revising paragraph D.

The revisions and addition read as follows:

§ 32.67 Washington.

* * * * *

McNary National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

3. We prohibit discharge of any firearm within 1/4 mile (396 m) of any maintained building or Federal facility, such as, but not limited to, a structure designed for storage, human occupancy, or shelter for animals. You may not shoot or discharge any firearm from, across, or along a public highway, designated route of travel, road, road shoulder, road embankment, or designated parking area.

* * * * *

C. Big Game Hunting. We allow hunting of deer only on the Stateline, Juniper Canyon, Peninsula, Two-Rivers, and Wallula Units in accordance with State regulations and subject to the following conditions:

* * * * *

2. On the Stateline and Juniper Canyon Units, we allow hunting with modern firearms, shotgun, muzzleloader, and archery.

3. On the Peninsula, Two-Rivers, and Wallula Units, we allow hunting with archery and shotgun only.

* * * * *

Umatilla National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

3. We prohibit discharge of any firearm within 1/4 mile (396 m) of any maintained building or Federal facility, such as, but not limited to, a structure designed for storage, human occupancy, or shelter for animals. You may not shoot or discharge any firearm from, across, or along a public highway, designated route of travel, road, road shoulder, road embankment, or designated parking area.

* * * * *

5. On the Paterson and Whitcomb Units, we allow hunting only on Wednesdays, Saturdays, Sundays, and all federally recognized holidays within the State season.

* * * * *

B. Upland Game Hunting. * * *

1. Conditions A1, A2, A3, A5, and A7 apply.

2. On the Whitcomb Island Unit, we only allow hunting of upland game from 12 p.m. (noon) to legal sunset of each hunt day.

C. Big Game Hunting. * * *

1. Conditions A1, A2, A3, and A7 apply.

* * * * *

D. Sport Fishing. We allow fishing on designated areas of the refuge in accordance with State regulations and subject to the following conditions: Conditions A1 and A7 apply.

* * * * *

■ 36. Amend § 32.69 by:

■ a. Revising paragraph C under Fox River National Wildlife Refuge.

■ b. Revising paragraphs C.3 and D.1 under Horicon National Wildlife Refuge.

■ c. Under Leopold Wetland Management District:

■ i. Adding paragraph A.3.

■ ii. Revising paragraphs B and C.

■ d. Revising paragraphs A and B.1 under Necedah National Wildlife Refuge.

■ e. Under St. Croix Wetland Management District:

■ i. Adding paragraph A.3.

■ ii. Revising paragraph B.

■ f. Revising paragraph A under Trempealeau National Wildlife Refuge.

■ g. Adding paragraph A.3 under Whittlesey National Wildlife Refuge.

The additions and revisions read as follows:

§ 32.69 Wisconsin.

* * * * *

Fox River National Wildlife Refuge

* * * * *

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge in accordance with State regulations and seasons, and subject to the following conditions:

1. We prohibit the construction or use of permanent blinds, platforms, or ladders.

2. We allow hunting during the State archery, crossbow, muzzleloader, and firearms seasons.

3. You must remove all stands from the refuge following each day's hunt. We prohibit hunting from any stand left up overnight.

4. Refuge access is from 1 hour before to 1 hour after legal shooting hours.

5. Any ground blind used during any gun deer season must display at least 144 square inches (929 square centimeters) of solid, blaze-orange material visible from all directions.

* * * * *

Horicon National Wildlife Refuge

* * * * *

C. Big Game Hunting. * * *

3. You must remove all stands from the refuge following each day's hunt. We prohibit hunting from any stand left up overnight.

* * * * *

D. Sport Fishing. * * *

1. We allow only bank fishing or fishing through the ice.

* * * * *

Leopold Wetland Management District

A. Migratory Game Bird Hunting. * * *

3. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow hunting of upland game throughout the district (except that we prohibit hunting on the Blue-wing Waterfowl Production Area (WPA) in Ozaukee County or the Wilcox WPA in Waushara County) in accordance with State regulations and subject to the following conditions: Conditions A1 and A3 apply.

C. Big Game Hunting. We allow hunting of big game throughout the district (except that we prohibit hunting on the Blue-wing Waterfowl Production Area (WPA) in Ozaukee County or the Wilcox WPA in Waushara County) in accordance with State regulations and subject to the following conditions:

1. We prohibit hunting from any stand left up overnight.

2. Any ground blind used during any gun deer season must display at least 144 square inches (929 square centimeters) of solid, blaze-orange material visible from all directions.

* * * * *

Necedah National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of migratory game birds only on designated areas of the refuge in accordance with State regulations and subject to the following condition: For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. * * *

1. Condition A applies.

* * * * *

St. Croix Wetland Management District

A. Migratory Game Bird Hunting. * * *

3. For hunting, you may use or possess only approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey (see § 32.2(k)).

B. Upland Game Hunting. We allow hunting of upland game throughout the district in accordance with State regulations and subject to the following conditions: Conditions A1 through A3 apply.

* * * * *

Trempealeau National Wildlife Refuge

A. Migratory Game Bird Hunting. We allow hunting of migratory game birds on designated areas of the refuge in accordance with State regulations and subject to the following conditions:

1. We require a refuge permit.

2. For hunting, you may use or possess only approved nontoxic shot shells (see § 32.2(k)).

* * * * *

Whittlesey Creek National Wildlife Refuge

A. Migratory Game Bird Hunting. * * *

3. For hunting, you may use or possess only approved nontoxic shot shells (see § 32.2(k)).

* * * * *

Dated: August 11, 2015.

Michael Bean,

Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2015–20472 Filed 8–25–15; 8:45 am]

BILLING CODE 4310–55–P

Reader Aids

Federal Register

Vol. 80, No. 165

Wednesday, August 26, 2015

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations	
General Information, indexes and other finding aids	**202–741–6000**
Laws	**741–6000**
Presidential Documents	
Executive orders and proclamations	**741–6000**
The United States Government Manual	**741–6000**
Other Services	
Electronic and on-line services (voice)	**741–6020**
Privacy Act Compilation	**741–6064**
Public Laws Update Service (numbers, dates, etc.)	**741–6043**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: **www.fdsys.gov.**

Federal Register information and research tools, including Public Inspection List, indexes, and Code of Federal Regulations are located at: **www.ofr.gov.**

E-mail

FEDREGTOC-L (Federal Register Table of Contents LISTSERV) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to **http://listserv.access.gpo.gov** and select *Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings);* then follow the instructions.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to **http://listserv.gsa.gov/archives/publaws-l.html** and select *Join or leave the list (or change settings);* then follow the instructions.

FEDREGTOC-L and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: **fedreg.info@nara.gov**

The Federal Register staff cannot interpret specific documents or regulations.

CFR Checklist. Effective January 1, 2009, the CFR Checklist no longer appears in the Federal Register. This information can be found online at **http://bookstore.gpo.gov/.**

FEDERAL REGISTER PAGES AND DATE, AUGUST

45841–46180 3
46181–46484 4
46485–46788 5
46789–47398 6
47399–47828 7
47829–48000 10
48001–48234 11
48235–48422 12
48423–48682 13
48683–49116 14
49117–49886 17
49887–50188 18
50189–50542 19
50543–50754 20
50755–51112 21
51113–51422 24
51423–51722 25
51723–51934 26

CFR PARTS AFFECTED DURING AUGUST

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

2 CFR

200 48683
2600 51423

Proposed Rules:

3474 47254

3 CFR

Proclamations:

9305 46175
9306 48423
9307 50541

Executive Orders:

13702 46177
13703 46181
13704 50751

Administrative Orders:

Notices:
Notice of August 7, 2015 48233
Presidential Determinations:
No. 2015-10 of August 5, 2015 50755

5 CFR

Ch. C 49117

Proposed Rules:

950 49173
1605 49173

6 CFR

Proposed Rules:

5 49175
19 47284

7 CFR

6 46185
301 48001
319 48002
457 48003
922 50189
953 50191
958 50193
985 50543
1208 46789

Proposed Rules:

16 47244
52 50803
185 49930
984 49930
1051 47210
1222 50225
3560 46853

9 CFR

Proposed Rules:

201 47871
381 50228

10 CFR

1 45841
37 45841
40 45841
50 45841
51 48235
55 45841
71 48683
72 49887
74 45841
75 45841
429 ..... 46730, 50757, 51424
430 ..... 46730, 48004, 50757, 51424

Proposed Rules:

Ch. I 49177
20 50804
50 51481
429 ..... 46855, 46870, 50462
430 ..... 46521, 46855, 48624, 49933, 51482, 51483, 51759
431 ..... 46870, 50462, 51487

12 CFR

208 49082
217 49082
235 48684
611 51113
701 45844
702 48010
1010 49127

Proposed Rules:

1238 50805

14 CFR

1 48686
23 48242
25 ..... 47399, 47400, 49892, 49893, 51723
39 ..... 45851, 45853, 45857, 46187, 48013, 48018, 48019, 48022, 49127, 49130, 49132, 50544, 50550, 50551, 50554, 50556, 51443, 51447, 51450, 51454, 51456, 51459, 51461
65 46791
71 ..... 48425, 48426, 48427, 48428, 48429, 48430, 48431, 48686, 51121
73 49134
97 ..... 45860, 45862, 50758, 50760
1217 45864

Proposed Rules:

1 50587
23 ..... 50587, 50808
25 ..... 49934, 49936, 49938, 50587
27 50587
29 50587
39 ..... 45900, 45902, 46206, 47871, 50230, 50233, 50810, 50812, 51488, 51491, 51495
61 50587
71 ..... 46525, 48469, 48470,

48766, 48767, 50235, 50237
73.....49181, 51498
91.....50587
121.....50587
125.....50587
135.....50587

15 CFR

700.....50761
730.....51725
732.....51725
738.....51725
743.....51725
744.....47402
746.....47402
748.....51725
752.....51725
762.....51725
772.....51725
774.....51725
902.....48244
Proposed Rules:
902.....48172

16 CFR

Proposed Rules:
Ch. II.....48043
312.....47429
1112.....48769
1234.....48769
1500.....50238

17 CFR

229.....50104
232.....51123
240.....48964, 50104
241.....47829
249.....48964, 50104
Proposed Rules:
201.....51684

18 CFR

2.....50558
157.....50558

19 CFR

181.....47405
191.....47405
351.....46793

20 CFR

404.....48248
422.....47831
Proposed Rules:
702.....49945
703.....49945

21 CFR

73.....46190, 50762
317.....50559
866.....46190
870.....49895
874.....46192
878.....46485
882.....49136
Proposed Rules:
573.....48471
1100.....51146
1140.....51146
1143.....51146
1308.....48044

22 CFR

22.....51464
35.....49138
62.....48687
96.....50195
Proposed Rules:
205.....47238

24 CFR

5.....46486
15.....49140
200.....48024
203.....51466
207.....51466
220.....51466
221.....51466
232.....48024, 51466
235.....51466
236.....51466
241.....51466
982.....50564
Proposed Rules:
5.....47302
92.....47302
200.....47874
570.....47302
574.....47302
576.....47302
578.....47302
582.....47302
583.....47302
1003.....47302

25 CFR

Proposed Rules:
41.....49946

26 CFR

1.....45865, 46795, 48249, 48433
602.....45865, 46795
Proposed Rules:
1.....45905, 46882, 47430, 48472, 50239, 50240, 50814
25.....47430
26.....47430
301.....47430

27 CFR

9.....47408
Proposed Rules:
9.....46883

28 CFR

553.....45883
Proposed Rules:
38.....47316

29 CFR

1902.....49897
1903.....49897
1904.....49897
1952.....49897
1953.....49897
1954.....49897
1955.....49897
1956.....46487, 49897
4022.....48688
Proposed Rules:
2.....47328
1902.....49956
1903.....49956
1904.....49956
1910.....47566
1952.....49956
1953.....49956
1955.....49956
1956.....49956

31 CFR

Proposed Rules:
23.....46208

32 CFR

199.....46796
238.....47834

33 CFR

100.....48436, 49909, 50196, 50574, 50765
117.....46492, 47410, 47411, 47850, 47851, 47852, 48251, 48440, 48441, 48689, 50576, 50768, 51469
147.....47852
160.....50576
165.....45885, 45886, 46194, 47855, 48252, 48441, 48690, 48692, 48695, 49152, 49155, 49911, 50577, 50769, 50771, 51125, 51470
Proposed Rules:
100.....49968
165.....48782, 48784, 48787

34 CFR

200.....50773
Ch. III.....46799, 48028, 48443, 48696
300.....50773
Proposed Rules:
75.....47254
76.....47254
Ch. VI.....50588

36 CFR

1206.....51423
1207.....51423
1210.....51423
Proposed Rules:
2.....48280

37 CFR

Proposed Rules:
42.....50720

38 CFR

1.....49157
3.....48450
17.....46197
36.....48254
Proposed Rules:
4.....46888
50.....47340
61.....47340
62.....47340

39 CFR

111.....48702
Proposed Rules:
3050.....46214, 49184, 49186, 50589, 50815

40 CFR

51.....50199, 51052
52.....45887, 45890, 46201, 46494, 46804, 47857, 47859, 47862, 48033, 48036, 48255, 48259, 48718, 48730, 48733, 49913, 50199, 50203, 50205, 50579, 50582, 50785, 50789, 51127, 51131, 51136, 51470, 51730
60.....48262, 50386
63.....50386
70.....50199
71.....50199
80.....49164
131.....51020
180.....46816, 48743, 48749, 48753, 49168, 50207, 51732
271.....50794, 51141
300.....48757, 50797
1600.....46822
Proposed Rules:
9.....45914, 46526
22.....45914, 46526
52.....45915, 47880, 47883, 48051, 48280, 48281, 48790, 48791, 49187, 49190, 49970, 50240, 50248, 50590, 50591, 50816, 50817, 51147, 51151, 51152, 51153, 51156, 51157, 51167, 51499
56.....50250
62.....51170
80.....49193
85.....45914, 46526
86.....45914, 46526
123.....47430
131.....47430
171.....51356
180.....51759
233.....47430
271.....51172
300.....48793, 50817
501.....47430
600.....45914, 46526
721.....47441
1033.....45914, 46526
1036.....45914, 46526
1037.....45914, 46526
1039.....45914, 46526
1042.....45914, 46526
1065.....45914, 46526
1066.....45914, 46526
1068.....45914, 46526

42 CFR

68b.....48272
84.....48268
110.....47411
412.....46652, 47036, 49326
414.....51474
418.....47142
476.....51474
483.....46390
Proposed Rules:
80.....48473
409.....46215, 49973
424.....46215, 49973
484.....46215, 49973
510.....51504

43 CFR

2.....45893
4.....48451

44 CFR

64.....45894, 51474, 51476

45 CFR

Ch. XVI.....48762
Proposed Rules:
87.....47272
95.....48200
1050.....47272
Ch. XIII.....48282
Subch. B.....48282
1355.....48200

1356 48200

46 CFR

Proposed Rules:
8 51173
197 51173
296 46527

47 CFR

20 45897
63 45898
73 46824

Proposed Rules:
0 46900
1 51174
2 46900
11 47886
15 46900
18 46900
54 ....45916, 47448
73 45917
90 46928

48 CFR

22 51476
46 51476
202 51739
204 51739
205 51748
207 45899
211 51750
212 ....51739, 51748
217 51750
225 ....51748, 51751, 51752
236 51751
239 51739
252 ....51739, 51748, 51752
1837 50212
1852 50212

Proposed Rules:
1 46531
4 46531
9 46531
17 46531
22 46531
52 46531
202 45918
212 45918
215 45918
252 45918
1823 48282
1852 48282

49 CFR

27 46508
192 46847
193 46847
195 46847
232 47350
391 48765
611 46514

Proposed Rules:
37 50593
191 46930
192 46930
195 46930
228 51180
512 ....45914, 46526
523 ....45914, 46526
534 ....45914, 46526
535 ....45914, 46526
537 ....45914, 46526
541 46930
583 ....45914, 46526
670 48794

50 CFR

17 ....47418, 48142, 49846
20 51090
32 51878
218 46112
226 50926
300 ....46515, 51476, 51478
622 ....46205, 48041, 48277, 50585
635 ....46516, 50074
648 ....46518, 46848, 48244, 49171, 49917, 51144, 51754
660 ....46519, 46852, 50212
679 ....46520, 47864, 48467, 51757, 51758

Proposed Rules:
17 ....51506, 51763
20 ....46218, 47388, 51658
216 48172
219 ....46939, 49196
222 45924
223 ....48053, 48061, 51763
224 ....48053, 48061, 51763
600 46941
622 ....48285, 51523
635 49974
648 46531
660 51525
665 ....51193, 51527
697 46533

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List August 11, 2015

Public Laws Electronic Notification Service (PENS)

PENS is a free electronic mail notification service of newly enacted public laws. To subscribe, go to *http://listserv.gsa.gov/archives/publaws-l.html*

Note: This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.