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DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 253

[FNS–2011–0036]

RIN 0584–AE05

Food Distribution Program on Indian Reservations: Income Deductions and Resource Eligibility

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule.

SUMMARY: This rulemaking establishes requirements to simplify and improve the administration of and expand access to the Food Distribution Program on Indian Reservations and the Food Distribution Program for Indian Households in Oklahoma, both of which are referred to as ''FDPIR'' in this rulemaking. The rulemaking amends FDPIR regulations to promote conformity with the Supplemental Nutrition Assistance Program (SNAP). First, the final rule revises FDPIR regulations to eliminate household resources from consideration when determining FDPIR eligibility. Second, the final rule will expand the current FDPIR income deduction for Medicare Part B Medical Insurance and Part D Prescription Drug Coverage premiums to include other monthly medical expenses in excess of $35 for households with elderly and/or disabled members. Third, the final rule will establish an income deduction for shelter and utility expenses. Finally, the final rule will provide new verification requirements related to the new income deductions, and provide revisions to the household reporting requirements that will more closely align FDPIR and SNAP regulations.

DATES: This rule is effective September 26, 2013.

FOR FURTHER INFORMATION CONTACT: Dana Rasmussen, Chief, Policy Branch, Food Distribution Division, Food and Nutrition Service, 3101 Park Center Drive, Room 506, Alexandria, Virginia 22302, or by telephone (703) 305–2662.

SUPPLEMENTARY INFORMATION:

I. Background and Discussion of Final Rule
II. Procedural Matters

I. Background and Discussion of the Final Rule

A. Why is the Department adopting this final rule?

The Department issued a Notice of Proposed Rulemaking (NPRM) on January 11, 2012, at 77 FR 1642. In the NPRM, the Department proposed to amend regulations at 7 CFR Part 253 to simplify, improve and expand access to FDPIR, while promoting conformity with SNAP. The final rule will achieve these objectives by amending the regulations at 7 CFR Part 253 to:

- Eliminate the household resource eligibility criterion.
- Expand the current deductions for medical expenses.
- Establish a deduction for shelter and utility expenses.
- Add household verification requirements relating to the proposed medical and shelter/utility expense deductions.
- Revise household reporting requirements.

B. Summary of Comments on January 11, 2012 Proposed Rule

The comment period on the proposed rule ended on April 10, 2012. These comments are discussed below and are available for review at *www.regulations.gov*. To view the comments received, enter ''FNS–2011–0036'' in the search field on the main page of *www.regulations.gov*. Then click on ''Search.'' Under ''Document Type'', select ''Public Submission''.

The Department received 98 written comments from seven elected Tribal leaders, seven FDPIR program administrators, three Tribal Associations, 68 Tribal members, nine non-profit and community-based organizations, two academics/students, and two comments from private citizens regarding the proposed provisions.

Ninety-seven commenters supported the provisions in the proposed rule. Of the comments received, 89 commenters supported the provisions to align FDPIR with SNAP policy; 91 commenters specifically supported eliminating household resources from consideration when determining FDPIR eligibility; 89 commenters supported expanding income deductions for medical expenses; and 88 commenters supported the new income deductions for shelter and utility expenses. Six supporting commenters cited the provisions as a positive change for current and prospective FDPIR participants, while four commenters cited the provisions as a positive change for the elderly and disabled population specifically. One commenter cited the provisions in the proposed rule as well explained and easily understood. Finally, two commenters cited the provisions as a positive response to Resolution 2009–01 passed by the membership of the National Association of Food Distribution Program on Indian Reservations (NAFDPIR) in 2009.

One commenter objected to the proposal to eliminate household resources from consideration when determining FDPIR eligibility. The commenter stated that removal of the resource test may allow non-needy participants to receive benefits. Regarding the commenter's objection, the Department will continue to require the income test to certify program eligibility among all participants and ensure services are targeted to the neediest in accordance with Program statutory and regulatory requirements. The Department also estimates that eliminating the household resource test would increase FDPIR participation by less than one percent. Removal of the resource test will streamline the certification process for new applicants and currently participating households. In addition, this action will simplify program administration, reducing the burden on State agency certification staff while improving program access to those individuals in need of nutrition assistance. The vast majority of commenters (97) specifically cited support for eliminating the household resource test to determine FDPIR eligibility. Thus, the proposed removal of the resource test is retained without change.

However, FNS will continue to pay close attention to the issue as well as to similar concerns expressed by Congress regarding the ability for individuals in receipt of substantial windfalls to be

eligible to the program. FNS will continue to evaluate ways to improve both program integrity and efficiency. Further, FNS will remain attentive to any future changes in related programs such as SNAP and consider similar adjustments within FDPIR as appropriate.

Two commenters expressed concern with regard to the proposed provision which would require households to report changes in income exceeding $100. Both commenters cited this provision as creating additional paperwork burdens for staff while diverging from SNAP policy. The current provision at 7 CFR 253.7(c)(1) requires households to report changes in income that would necessitate a change in the eligibility determination. The Department believes this methodology is impractical because households cannot be expected to know when their income eligibility changes based on a net monthly income calculation. Furthermore, the proposed provision conforms with SNAP regulations at 7 CFR 273.12(a)(1)(i)(C)(*2*), where a change in earned income exceeding $100 must be reported for certified change reporting households. Although SNAP allows for additional State options regarding income change reporting, the FDPIR provision, as proposed, offers a uniform, streamlined approach which is simple and easy to understand, while at the same time promoting program integrity. The provision will provide households with a more effective guideline for determining when changes in income must be reported. Thus, the proposed provision is retained without change in this final rule.

Two commenters expressed concern regarding the proposed provision which would require an applicant household to show proof of at least one allowable shelter/utility expense to receive the FDPIR standard deduction. Both commenters observed that an applicant's statement is acceptable as proof to receive the standard deduction under SNAP. SNAP allows for self-declaration of shelter/utility expenses at or below the applicable standard. However in SNAP, all expenses a household wishes to claim or which are questionable and which are beyond that applicable standard must be verified. The Department believes the FDPIR provision, as proposed, is simple and easy to understand, without creating an undue burden on FDPIR certification staff and applicants. Thus, the proposed provision is retained without change in this final rule.

As proposed, FNS would set region-specific standard income deductions for monthly shelter and utility expenses. An explanation regarding the Department's methodology for setting the Regional shelter/utility deduction amounts may be found in the preamble of the proposed rule. If implemented in Fiscal Year (FY) 2013, the Department does not anticipate significant changes to the Regional amounts set in the proposed rule, with the exception to the amount proposed for the Northeast/Midwest region, which was projected to be $350 for FY 2013 in the proposed rule. This amount is revised to $400 in this final rule to reflect the most recent data available. The Regional amounts are listed below:

FY 2013 FDPIR STANDARD SHELTER/UTILITY EXPENSE DEDUCTIONS BASELINE BY REGION

Region	States currently with FDPIR programs	Shelter/utility deduction
Northeast/Midwest	Michigan, Minnesota, New York, Wisconsin	$400
Southeast/Southwest	Mississippi, New Mexico, North Carolina, Oklahoma, Texas	300
Mountain Plains	Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming.	400
West	Alaska, Arizona, California, Idaho, Nevada, Oregon, Washington	350

C. Regulatory Revisions, 7 CFR 253.6 and 253.7

In the following discussion and regulatory text, the term ''State agency,'' as defined at 7 CFR 253.2, is used to include Indian Tribal Organizations (ITOs) authorized to operate FDPIR and Food Distribution Program for Indian Households in Oklahoma (FDPIHO) in accordance with 7 CFR Parts 253 and 254. This final rulemaking amends the regulations for FDPIR at 7 CFR 253.6 and 253.7 as follows:

1. Eliminate the Eligibility Criterion Based on Household Resources—7 CFR 253.6(d)

In the proposed rule, to eliminate the resource standard from current regulations, the Department proposed to remove the regulatory provisions at 7 CFR 253.6(d). Removal of the resource test would streamline the certification process for new and currently participating households and simplify program administration, reducing the burden on State agency certification staff and improving service to those in need of nutrition assistance. Based on the comments discussed, which reflect vast majority support for eliminating the eligibility criterion based on household resources, the proposed removal of 7 CFR 253.6(d) is included without change in this final rule.

This final rule makes conforming amendments to 7 CFR 253.6(c) on categorical eligibility and removes reference to resource eligibility. This final rule also removes 7 CFR 253.7(f)(2)(i), which currently references resources of disqualified household members, and redesignates the current paragraphs at 7 CFR 253.7(f)(2)(ii) and (iii) as paragraphs (f)(2)(i) and (ii), respectively.

The Department also proposed to redesignate 7 CFR 253.6(e)(3)(viii) as 7 CFR 253.6(d)(3)(viii), and remove the provision which currently counts non-recurring lump sum payments as resources in the month received. The Department proposed similar treatment of periodic per capita payments that are derived from the profits of Tribal enterprises and distributed to Tribal members less frequently than monthly. Therefore, non-recurring lump sum payments and non-monthly per capita payments will not be considered in determining the eligibility of households for FDPIR. No comments were received on these proposed changes. Thus, the proposed changes are retained in this final rule. Furthermore, this final rule redesignates 7 CFR 253.6(e)(2)(ii) as 7 CFR 253.6(d)(2)(ii), and clarifies that per capita payments received monthly are considered unearned income in the month received. This is consistent with current program policy. No comments were received on this proposed provision. Thus, the proposed change is retained in this final rule.

2. Medical Expense Deduction—7 CFR 253.6(f) (To Be Redesignated as 7 CFR 253.6(e))

In the proposed rule, the Department proposed to redesignate 7 CFR

253.6(f)(4) as 7 CFR 253.6(e)(4) and expand the current deduction for Medicare Part B Medical Insurance and Part D Prescription Drug Coverage premiums to include other monthly medical expenses in excess of $35 incurred by any household member who is elderly or disabled as defined in 7 CFR 253.2. As provided above, in order to reflect the elimination of 7 CFR 253.6(d), this final rule redesignates current 7 CFR 253.6(f) as paragraph (e). All comments received on this provision were in support of expanding medical expenses as proposed. Thus, the proposed changes are retained in this final rule.

In the proposed rule, the Department also proposed to adopt SNAP position codified at 7 CFR 273.9(d)(3) in regards to allowable medical costs. A vast majority of comments received support aligning FDPIR with SNAP policy. Thus, the proposed changes are retained in this final rule.

3. Shelter and Utility Expense Deduction—7 CFR 253.6(f) (To Be Redesignated as 7 CFR 253.6(e))

In the proposed rule, the Department proposed to redesignate 7 CFR 253.6(f) as 7 CFR 253.6(e), and establish region-specific standard income deductions for monthly shelter and utility expenses, with all States within each designated region receiving the same deduction amount. All comments received regarding this provision were in support of establishing regional shelter and utility expense deductions, as proposed. Thus, the proposed changes are retained in this final rule.

In the proposed rule, the Department also proposed to adopt SNAP policy under 7 CFR 273.9(d)(6)(ii) for allowable shelter and utility expenses. A vast majority of comments received support aligning FDPIR with SNAP policy. Thus, the proposed changes are retained in this final rule.

4. Verification Requirements and Household Reporting—7 CFR 253.7(a)(6)(i) and 7 CFR 253.7(c)(1)

In the proposed rule, the Department proposed to amend 7 CFR 253.7(a)(6)(i) to revise the current verification requirements for Medicare Part B and Part D premiums to reflect the expanded medical expense deduction. No comments were received specific to this provision for expanded medical expenses. The Department also proposed to amend 7 CFR 253.7(a)(6)(i) to add a verification requirement for shelter and utility expenses. Although two commenters expressed concern with this verification requirement, the vast majority of commenters were generally in support of the proposed provisions. As discussed in Section I.B. of the preamble, the Department believes that requiring minimal verification of shelter/utility expenses is important to ensure Program integrity. The proposed verification requirements are included without change in 7 CFR 253.7(a)(6)(i) of this final rule.

In the proposed rule, the Department proposed to amend the reporting requirements at 7 CFR 253.7(c)(1) and require a household to report a change in residence; changes in shelter/utility expenses when the household no longer incurs shelter/utility costs; changes in the legal obligation to pay child support; and changes in income that result in an increase of more than $100 in gross monthly income. The Department believes these provisions, as proposed, will provide for better comprehension, and improve the administration of FDPIR. Although two commenters expressed concern with the requirement to report a change in income exceeding $100 in gross monthly income, the vast majority of commenters were generally in support of the proposed reporting requirements. As discussed in Section I.B. of the preamble, the Department believes this reporting requirement provides a more effective guideline for households to determine when changes in income must be reported. The proposed reporting requirements are included without change in 7 CFR 253.7(c)(1) of this final rule.

II. Procedural Matters

A. Executive Order 12866 and Executive Order 13563

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

This final rule has been determined to be not significant for purposes of Executive Order 12866. Therefore, it was not reviewed by the Office of Management and Budget (OMB).

B. Regulatory Flexibility Act

This final rule has been reviewed with regard to the requirements of the Regulatory Flexibility Act (5 U.S.C. 601–612). It has been certified that this action will not have a significant impact on a substantial number of small entities. While program participants and ITOs and State agencies that administer FDPIR will be affected by this rulemaking, the economic effect will not be significant.

C. Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments and the private sector. Under Section 202 of the UMRA, the Food and Nutrition Service (FNS) generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with Federal mandates that may result in expenditures to State, local, or Tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. When such a statement is needed for a rule, Section 205 of the UMRA generally requires FNS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule.

This final rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and Tribal governments or the private sector of $100 million or more in any one year. This final rule is, therefore, not subject to the requirements of Sections 202 and 205 of the UMRA.

D. Executive Order 12372

The program addressed in this action is listed in the Catalog of Federal Domestic Assistance under No. 10.567. For the reasons set forth in the final rule in 7 CFR Part 3015, Subpart V and related Notice published at 48 FR 29115 on June 24, 1983, the donation of foods in such programs is included in the scope of Executive Order 12372, which requires intergovernmental consultation with State and local officials.

E. Executive Order 13132

Executive Order 13132 requires Federal agencies to consider the impact of their regulatory actions on State and local governments. Where such actions have federalism implications, agencies are directed to provide a statement for inclusion in the preamble to the regulations describing the agency's considerations in terms of the three categories called for under Section (6)(b)(2)(B) of Executive Order 13132.

1. Prior Consultation With Tribal/State Officials

The Programs affected by the provisions in this final rule are all Tribal or State-administered federally funded programs. FNS' national and regional offices have formal and informal discussions with State agency officials and representatives on an ongoing basis regarding program issues relating to FDPIR. FNS meets annually with the NAFDPIR membership, a national group of Tribal and State-appointed FDPIR Program Directors, to discuss issues relating to FDPIR. FNS also meets with the NAFDPIR Board on a more frequent basis.

The changes in this final rulemaking related to the deduction for shelter and utility expenses are based on a resolution passed by the NAFDPIR membership in June 2009, and were discussed with the NAFDPIR Board and its membership. This rulemaking was also the subject of formal consultation sessions with Tribal officials held in seven locations in October 2010 through January 2011, as well as an additional consultation session held on February 29, 2012. Section J below, provides additional information on FNS' consultation efforts as it relates specifically to this rule.

2. Nature of Concerns and the Need To Issue This Rule

Eligible low-income households living in areas served by FDPIR may choose to participate in either FDPIR or SNAP. SNAP regulations offer an income deduction for excess shelter expenses and an income deduction for allowable monthly medical expenses in excess of $35 for households with elderly and/or disabled members. This final rulemaking responds to a resolution passed by the membership of the NAFDPIR in June 2009 that requested income deductions for home heating expenses and utilities, prescription medications, and other out-of-pocket medical expenses. The NAFDPIR resolution read that the FDPIR income eligibility criterion unfairly penalizes households whose net monthly income is determined to be over the income standard by as little as one dollar, while many of these households have monthly shelter, utility and/or medical expenses. NAFDPIR believes that some low-income households are forced to choose between paying for food and paying for heat and/or medicine.

FNS also received numerous public comments in response to separate proposed rulemaking supporting elimination of the FDPIR resource test or alignment of FDPIR and SNAP policies. This final rulemaking responds to the concerns raised by commenters.

3. Extent to Which We Address Those Concerns

The Department has considered the impact of this final rule on Indian Tribal Organizations and State agencies that administer FDPIR. The Department does not expect the provisions of this final rule to conflict with any State or local law, regulations, or policies. The overall effect of this final rule is to ensure that low-income households living on or near Indian reservations receive nutrition assistance.

F. Executive Order 12988

This final rule has been reviewed under Executive Order 12988, ''Civil Justice Reform.'' Although the provisions of this rule are not expected to conflict with any State or local law, regulations, or policies, the rule is intended to have preemptive effect with respect to any State or local laws, regulations, or policies that conflict with its provisions or that would otherwise impede its full implementation. This rule is not intended to have retroactive effect. Prior to any judicial challenge to the provisions of this rule or the applications of its provisions, all applicable administrative procedures must be exhausted.

G. Civil Rights Impact Analysis

The Department has reviewed this final rule in accordance with the Department Regulation 4300–4, ''Civil Rights Impact Analysis,'' to identify and address any major civil rights impacts the rule might have on minorities, women, and persons with disabilities. Consistent with current SNAP regulations, the provision to expand the current income deduction for Medicare Part B Medical Insurance and Part D Prescription Drug Coverage premiums to include other allowable monthly medical expenses in excess of $35 would apply only to households with elderly and/or disabled members, as defined at 7 CFR 253.2. However, after a careful review of the rule's intent and provisions, the Department has determined that this final rule will not in any way limit or reduce the ability of participants to receive the benefits of donated foods in food distribution programs on the basis of an individual's or group's race, color, national origin, sex, age, political beliefs, religious creed, or disability. The Department found no factors that would negatively affect any group of individuals.

H. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35; see 5 CFR part 1320) requires that OMB approve all collections of information by a Federal agency from the public before they can be implemented. Information collections related to the provisions in this final rule are approved under OMB No. 0584–0293 (Expiration date: December 31, 2014).

This final rule would impact the reporting and recordkeeping burden for Indian Tribal Organizations and State agencies under OMB No. 0584–0293 due to an expected change in number of households participating in FDPIR as a result of this rule and related changes to verification and household reporting requirements. Documentation supporting the eligibility of all participating households must be maintained by the Indian Tribal Organizations and State agencies.

The approved information collection estimates under OMB No. 0584–0293 are as follows:

Estimated total annual burden: 1,079,172.92.

Estimated annual recordkeeping burden: 746,400.42.

Estimated annual reporting burden: 332,772.49.

Changes resulting from this final rule would result in the following changes to OMB No. 0584–0293:

Estimated total annual burden: 1,081,071.76.

Estimated annual recordkeeping burden: 746,428.44.

Estimated annual reporting burden: 334,643.32.

These information collection requirements will not become effective until approved by OMB. Once they have been approved, FNS will publish a separate action in the **Federal Register** announcing OMB's approval.

I. E-Government Act Compliance

The Department is committed to complying with the E-Government Act 2002 to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

J. Executive Order 13175

Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that

have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

In late 2010 and early 2011, USDA engaged in a series of consultative sessions to obtain input by Tribal officials or their designees concerning the effect of this and other rules on Tribes or Indian Tribal governments, or whether this rule may preempt Tribal law. The Department provided an additional consultation session on February 29, 2012, as part of its quarterly consultation meetings for FY 2012 and discussed the proposed provisions of this rule with Tribal officials, their designees, and Tribal members. Reports from the consultative sessions will be made part of the USDA annual reporting on Tribal Consultation and Collaboration. USDA will offer future opportunities, such as webinars and teleconferences, for collaborative conversations with Tribal leaders and their representatives concerning ways to improve rules with regard to their affect on Indian country.

We are unaware of any current Tribal laws that could be in conflict with the final rule.

List of Subjects in 7 CFR Part 253

Administrative practice and procedure, Food assistance programs, Grant programs, Social programs, Indians, Reporting and recordkeeping requirements, Surplus agricultural commodities.

Accordingly, 7 CFR Part 253 is amended as follows:

PART 253—ADMINISTRATION OF THE FOOD DISTRIBUTION PROGRAM FOR HOUSEHOLDS ON INDIAN RESERVATIONS

■ 1. The authority citation for part 253 continues to read as follows:

Authority: 91 Stat. 958 (7 U.S.C. 2011–2036).

■ 2. In § 253.6:

■ a. Amend the heading of paragraph (c) introductory text by removing the words ''and resource'';

■ b. Amend paragraph (c)(1) by removing the words ''and resources'';

■ c. Amend paragraph (c)(2) by removing the words ''and resources'';

■ d. Remove paragraph (d) and redesignate paragraphs (e) and (f) as paragraphs (d) and (e), respectively;

■ e. In newly redesignated paragraph (d), redesignate paragraph (d)(2)(ii)(F) as paragraph (d)(2)(ii)(G), and add new paragraph (d)(2)(ii)(F);

■ f. Amend redesignated paragraph (d)(3)(viii) by removing the second sentence;

■ g. Add paragraph (d)(3)(xii);

■ h. Revise newly redesignated paragraph (e)(4) and add paragraph (e)(5).

The revision and additions read as follows:

§ 253.6 Eligibility of households.

* * * * *

(d) * * *

(2) * * *

(ii) * * *

(F) Per capita payments that are derived from the profits of Tribal enterprises and distributed to Tribal members on a monthly basis.

* * * * *

(3) * * *

(xii) Per capita payments that are derived from the profits of Tribal enterprises and distributed to Tribal members less frequently than monthly (e.g., quarterly, semiannually or annually) are excluded from consideration as income.

* * * * *

(e) * * *

(4) Households must receive a medical deduction for that portion of medical expenses in excess of $35 per month, excluding special diets, incurred by any household member who is elderly or disabled as defined in § 253.2 of this chapter. Spouses or other persons receiving benefits as a dependent of a Supplemental Security Income (SSI), or disability and blindness recipient are not eligible to receive this deduction; however, persons receiving emergency SSI benefits based on presumptive eligibility are eligible for this deduction. The allowable medical costs are those permitted at 7 CFR 273.9(d)(3) for the Supplemental Nutrition Assistance Program (SNAP).

(5) Households that incur monthly shelter and utility expenses will receive a shelter/utility standard deduction, subject to the provisions below.

(i) The household must incur, on a monthly basis, at least one allowable shelter/utility expense. The allowable shelter/utility expenses are those permitted at 7 CFR 273.9(d)(6)(ii) for SNAP.

(ii) The shelter/utility standard deduction amounts are set by FNS on a regional basis. The standard deductions are adjusted annually to reflect changes to SNAP Quality Control data. FNS will advise the State agencies of the updates prior to October 1 of each year.

(iii) If eligible to receive a shelter/utility standard deduction, the applicant household may opt to receive the appropriate deduction amount for the State in which the household resides or the State in which the State agency's central administrative office is located.

■ 3. In § 253.7:

■ a. Revise paragraph (a)(6)(i)(C);

■ b. Add paragraph (a)(6)(i)(D);

■ c. Revise paragraph (c)(1);

■ d. Remove paragraph (f)(2)(i) and redesignate paragraphs (f)(2)(ii) and (iii) as paragraphs (f)(2)(i) and (ii), respectively.

The revisions and addition read as follows:

§ 253.7 Certification of households.

(a) * * *

(6) * * *

(i) * * *

(C) *Excess medical expense deduction.* The State agency must obtain verification for those medical expenses that the household wishes to deduct in accordance with 7 CFR 253.6(e)(4). The allowability of services provided (e.g., whether the billing health professional is a licensed practitioner authorized by State law or other qualified health professional) must be verified, if questionable. Only out-of-pocket expenses can be deducted. Expenses reimbursed to the household by an insurer are not deductible. The eligibility of the household to qualify for the deduction (i.e., the household includes a member who is elderly or disabled) must be verified, if questionable.

(D) *Standard shelter/utility deduction.* A household must incur, on a monthly basis, at least one allowable shelter/utility expense in accordance with 7 CFR 253.6(e)(5)(i) to qualify for the standard shelter/utility deduction. The State agency must verify that the household incurs the expense.

* * * * *

(c) * * *

(1) The State agency must develop procedures for how changes in household circumstances are reported. Changes reported over the telephone or in person must be acted on in the same manner as those reported in writing. Participating households are required to report the following changes within 10 calendar days after the change becomes known to the household:

(i) A change in household composition;

(ii) An increase in gross monthly income of more than $100;

(iii) A change in residence;

(iv) When the household no longer incurs a shelter and utility expense; or

(v) A change in the legal obligation to pay child support.

* * * * *

Dated: August 19, 2013.

Audrey Rowe,

Administrator, Food and Nutrition Service.

[FR Doc. 2013–20844 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 402

[Docket No. FCIC–11–0003]

RIN 0563–AC31

Catastrophic Risk Protection Endorsement

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule.

SUMMARY: The Federal Crop Insurance Corporation (FCIC) finalizes the Catastrophic Risk Protection Endorsement. The intended effect of this action is to clarify existing policy provisions and to incorporate changes that are consistent with those made in the Common Crop Insurance Policy Basic Provisions and to incorporate provisions regarding catastrophic risk protection coverage for area yield plans from the Area Risk Protection Insurance (ARPI) Basic Provisions. The changes will be effective for the 2014 and succeeding crop years for all crops with a contract change date on or after the effective date of this rule, and for the 2015 and succeeding crop years for all crops with a contract change date prior to the effective date of this rule.

DATES: This rule is effective September 26, 2013.

FOR FURTHER INFORMATION CONTACT: Tim Hoffmann, Director, Product Administration and Standards Division, Risk Management Agency, United States Department of Agriculture, Beacon Facility, Stop 0812, Room 421, P.O. Box 419205, Kansas City, MO 64141–6205, telephone (816) 926–7730.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

The Office of Management and Budget (OMB) has determined that this rule is not-significant for the purposes of Executive Order 12866 and, therefore, it has not been reviewed by OMB.

Paperwork Reduction Act of 1995

Pursuant to the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the collections of information in this rule have been approved by OMB under control number 0563–0053.

E-Government Act Compliance

FCIC is committed to complying with the E-Government Act of 2002, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. This rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) for State, local, and tribal governments or the private sector. Therefore, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Executive Order 13132

It has been determined under section 1(a) of Executive Order 13132, Federalism, that this rule does not have sufficient implications to warrant consultation with the States. The provisions contained in this rule will not have a substantial direct effect on States, or on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Executive Order 13175

This rule has been reviewed in accordance with the requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. The review reveals that this regulation will not have substantial and direct effects on Tribal governments and will not have significant Tribal implications.

Regulatory Flexibility Act

FCIC certifies that this regulation will not have a significant economic impact on a substantial number of small entities. Program requirements for the Federal crop insurance program are the same for all producers regardless of the size of their farming operation. For instance, all producers are required to submit an application and acreage report to establish their insurance guarantees and compute premium amounts, and all producers are required to submit a notice of loss and production information to determine the amount of an indemnity payment in the event of an insured cause of crop loss. Whether a producer has 10 acres or 1000 acres, there is no difference in the kind of information collected. To ensure crop insurance is available to small entities, the Federal Crop Insurance Act authorizes FCIC to waive collection of administrative fees from limited resource farmers. FCIC believes this waiver helps to ensure that small entities are given the same opportunities as large entities to manage their risks through the use of crop insurance. A Regulatory Flexibility Analysis has not been prepared since this regulation does not have an impact on small entities, and, therefore, this regulation is exempt from the provisions of the Regulatory Flexibility Act (5 U.S.C. 605).

Federal Assistance Program

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.450.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which require intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115, June 24, 1983.

Executive Order 12988

This final rule has been reviewed in accordance with Executive Order 12988 on civil justice reform. The provisions of this rule will not have a retroactive effect. The provisions of this rule will preempt State and local laws to the extent such State and local laws are inconsistent herewith. With respect to any direct action taken by FCIC or to require the insurance provider to take specific action under the terms of the crop insurance policy, the administrative appeal provisions published at 7 CFR part 11 must be exhausted before any action against FCIC for judicial review may be brought.

Environmental Evaluation

This action is not expected to have a significant economic impact on the quality of the human environment, health, or safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Background

This rule finalizes changes to the Catastrophic Risk Protection Endorsement that were published by FCIC on August 17, 2011, as a notice of proposed rulemaking in the **Federal Register** at 76 FR 50929–50931. The public was afforded 60 days to submit written comments after the regulation was published in the **Federal Register**.

Finalization of this rule was deferred to assure it was in conformance to changes that were also being made in proposed and final rule as noted below.

A total of 35 comments were received from five commenters. The commenters were insurance providers, an insurance service organization, a University, and an interested party. The public comments received regarding the proposed rule and FCIC's responses to the comments are as follows:

General

Comment: A commenter stated there should be zero catastrophic risk which is assumed by the American taxpayer. The commenter stated the American taxpayers are already saddled with the bank risks; they do not need to take on any risk for this industry. This industry consistently shifts all its costs onto American taxpayers and it is clear this needs to be stopped. Industry costs should be paid for by those in the industry. The commenter also questioned why the American public is not allowed to comment on these policies which seem to pass the risk on to them.

Response: It is unclear what the commenter is referring to. FCIC assumes that this commenter is referring to the fact that the government subsidizes 100 percent of the premium for catastrophic risk protection policies. FCIC does not have the authority to eliminate premium subsidy for catastrophic risk protection coverage. Such subsidy is mandated by section 508(e) of the Federal Crop Insurance Act and cannot be eliminated without a change in the law. FCIC does not agree the public is not allowed to comment on policies. The Administrative Procedure Act requires that FCIC publish a notice of proposed rulemaking to give the public notice and an opportunity to comment on the proposed rule during a specified time period before FCIC promulgates new regulations. The public was allowed to comment when the catastrophic risk protection coverage was first proposed in 1995 and public notice and comment procedures have been completed in this rulemaking.

Comment: A commenter stated FCIC has recently published a proposed rule in which Group Risk Protection (GRP), Group Risk Income Protection (GRIP), and Group Risk Income Protection with Harvest Price Option (GRIP–HPO) plans of insurance are proposed to be replaced with new plans called Area Yield Protection (AYP), Area Revenue Protection with the Harvest Price Exclusion (ARP–HPE), and Area Revenue Protection (ARP), respectively. The commenter understands the verbiage ''or successor plans of insurance'' has been added throughout the proposed rule but if the new area plans are published as a final rule prior to the final rule for the Catastrophic Risk Protection Endorsement, the commenter recommended FCIC change the terminology of all references to ''GRP, GRIP, and GRIP–HPO'' with ''AYP, ARP, and ARP–HPE,'' respectively, in any provisions of this Endorsement where these plans of insurance are referenced.

Response: FCIC elected to publish the Catastrophic Risk Protection Endorsement Final Rule after publishing the final rule to combine the GRIP and GRP plans of insurance. Therefore, the provisions have been updated to incorporate provisions regarding catastrophic risk protection coverage for area yield plans from the Area Risk Protection Insurance (ARPI) Basic Provisions.

Order of Priority

Comment: A commenter stated revising the paragraph immediately preceding section 1, which refers to the order of priority in the event of a conflict, to include the ''actuarial documents'' and the ''Commodity Exchange Price Provisions,'' if applicable, and removing ''Special Provisions'' from the order of priority weakens the policyholder's position in the event of a dispute. This change could also lessen the policyholder's chances of recouping losses at a premium rate. The ''Special Provisions'' priority order is important because it would allow the policyholder the benefit of Specific Provisions provided in the insurance plan for each insured crop that may vary by geographic area which is outlined in the ''Special Provisions.'' On the other hand ''actuarial documents'' do not provide the information necessary to determine the premium rate and in some counties there are no actuarial documents available. The policyholder could potentially receive less than the premium price since the price would be determined by FCIC who would use ''price election'' to determine the loss.

Response: The Special Provisions were not removed from the order of priority. The ''actuarial documents'' were added to the order of priority following the Special Provisions. The actuarial documents are a part of the policy. FCIC has revised the Agreement to Insure by replacing the phrase ''policy provisions'' with the word ''policy'' because the actuarial documents are a part of the policy. The policy priority has been revised to now state ''(2) Special Provisions'' and ''(3) actuarial documents'' and is renumbered accordingly.

Comment: A few commenters recommended not capitalizing ''Actuarial Documents'' in the paragraph immediately preceding section 1 which refers to the order of priority in the event of a conflict since it is not capitalized in other references throughout the Endorsement, such as in sections 6(b) and 6(b)(1).

Response: FCIC agrees ''actuarial documents'' should not be capitalized and has modified the phrase accordingly.

Section 1—Definitions

Comment: A few commenters stated in section 1 most of the current definitions are being deleted because they are either duplicates of the definitions in the Common Crop Insurance Policy Basic Provisions or identified as no longer applicable or needed. The only definitions that remain are ''approved insurance provider,'' ''FCIC,'' and ''zero acreage report.'' Although ''FCIC'' is not defined in section 1 of the Common Crop Insurance Policy Basic Provisions, it is spelled out in the opening paragraph of the Common Crop Insurance Policy Basic Provisions. The commenters questioned whether a definition is really needed in the Catastrophic Risk Protection Endorsement just to specify that FCIC is ''. . .a wholly owned Government Corporation within USDA.''

Response: FCIC agrees the definition of ''FCIC'' is not needed as it is spelled out in the opening paragraph of both the Common Crop Insurance Policy Basic Provisions and the Area Risk Protection Insurance Basic Provisions and has deleted the definition accordingly.

Section 3—Unit Division

Comment: A few commenters suggested splitting section 3(a) into two sentences or into separate subsections and reversing the order so the rest of this section is combined with the ''in lieu of'' statement (and not needed for the non-Group Risk policies that do not have basic units by share arrangement). The commenters recommended revising the language to read something like:

''(a) This section is not applicable if you are insured under the Group Risk Plan. . .''

''(b) This section is in lieu of the unit provisions specified in the applicable crop policy. For catastrophic risk protection coverage, a unit will be . . .''

Response: FCIC agrees with the commenters and has revised the provisions in section 3 accordingly.

Section 4—Insurance Guarantees, Coverage Levels, and Prices for Determining Indemnities

Comment: A commenter stated amending section 4(b) by removing the phrase ''expected market price'' and adding the phrase ''price election'' creates uniformity since the phrase has already been replaced in the Common Crop Insurance Policy Basic Provisions released April 2010. However, the phrase ''expected market price'' by definition allows the FCIC the ability to establish or approve the price level of each agricultural commodity for which insurance is offered. The phrase ''price election'' by definition is the value per pound, bushel, ton, carton, or other applicable unit of measure for the purposes of determining premium and indemnity under the policy. The commenter suggested amending the definition of ''price election'' to include a subpart of the definition from the ''expected market price'' allowing FCIC the ability to establish or approve the price level of each agricultural commodity for which insurance is offered.

Response: FCIC agrees to replace the term ''expected market price'' with ''price election.'' However, it is not necessary to revise the definition of ''price election'' to allow FCIC the ability to establish or approve the price level of each agricultural commodity for which insurance is offered because, as specified in the Common Crop Insurance Policy Basic Provisions, price elections are already announced by FCIC for each insured crop or type. The price elections represent 100 percent of the expected market price. Price elections are determined by FCIC based on the best available data to estimate the expected market price and are issued by the contract change date for each insured crop.

Section 5—Report of Acreage

Comment: A few commenters stated section 5(a) was not proposed to be revised but it might be worth reviewing if this provision needs to be reconsidered. The commenters questioned whether one person can really sign the acreage report for a catastrophic risk protection policy on behalf of everyone else with an insurable interest in the insured crop without their consent (whether by a power of attorney or otherwise), and those others then be bound by the information in that acreage report, unless they specifically object in writing prior to the acreage reporting date and provide their own acreage reports. The commenters also questioned whether this is intended to apply only to cases such as when the insured entity is a partnership, or a tenant insuring the landlord's share on the tenant's policy. Perhaps this is meant to be limited to the situations mentioned in section 5(b): Partnership or joint venture; other cases specifically allowed in the Catastrophic Risk Protection Endorsement (but the tenant-landlord scenario is not mentioned in this Endorsement); and acreage/interest reported by a spouse, child or other household member. The commenters did not think it could be meant to apply when other persons with an insurable share in the crop have their own policies for that crop/county, possibly with a different insurance provider, and possibly with an additional coverage level rather than catastrophic risk protection coverage. The commenters also questioned how this fits the other procedures and requirements regarding someone being the ''authorized representative'' for the insured entity.

Response: Since no changes to these provisions were proposed and the proposed change is substantive in nature but the public was not provided an opportunity to comment, no change can be made as a result of this comment. FCIC will take this comment under advisement in any future rulemakings.

Section 6—Annual Premium and Administrative Fees

Comment: A few commenters stated section 6(c) was not proposed to be revised, but with the proposed deletion of the ''limited resource farmer'' definition (since it is covered in the 2011 Common Crop Insurance Policy Basic Provisions), the reference here to that definition needs to be revised from ''. . . (see section 1) . . .'', perhaps to ''. . . in the Basic Provisions . . .'' The commenters also recommended considering whether the rest of this subsection is needed here since it duplicates the information in section 7(e)(4) of the Basic Provisions, perhaps reference could be made to that provision instead.

Response: FCIC agrees section 6(c) should be revised to remove reference to section 1 and to remove provisions already contained in the applicable crop policy. This will prevent any potential conflicts between the Catastrophic Risk Protection Endorsement and the applicable Basic Provisions. FCIC has revised the provisions accordingly.

Section 7—Insured Crop

Comment: A few commenters recommended adding a semicolon before ''however'' and a comma after in section 7(a). The commenters also recommended rearranging the phrase ''you may separately insure acreage under catastrophic risk protection coverage that has been designated as 'high-risk' land by FCIC, provided'' as ''you may separately insure acreage designated as 'high-risk' land by FCIC under catastrophic risk protection coverage, provided.''

Response: FCIC agrees with the commenters and has revised the provisions accordingly. In addition, FCIC revised section 7 to clarify the provisions are not applicable to those policies insured under the Area Risk Protection Insurance Basic Provisions.

Comment: A few commenters recommended combining sections 7(a) and 7(b) into one paragraph (as in the current Catastrophic Risk Protection Endorsement).

Response: FCIC agrees with the commenters and has combined the provisions accordingly.

Comment: A few commenters stated FCIC proposed deleting section 7(b) regarding an ''undivided interest'' policy because this will not be available under the USDA Acreage Crop Reporting Streamlining Initiative (ACRSI). The commenter questioned whether this is definite, and whether ACRSI will be implemented before the Catastrophic Risk Protection Endorsement Final Rule is published.

Response: ACRSI is an ongoing initiative within the USDA and, regardless of when it is fully implemented, FCIC will no longer recognize undivided interest as an insurable type of person. The applicable procedures will be revised to conform to the removal of undivided interest in this rule.

Section 9—Claim for Indemnity

Comment: A few commenters stated the ''Background'' of the proposed rule states that ''FCIC proposes to revise section 9 to clarify the price references to include projected prices, dollar amounts of insurance, or dollar amounts of protection because the term ''price election'' is not applicable to all plans of insurance.'' However, the proposed Catastrophic Risk Protection Endorsement provisions did not provide the actual proposed language so the commenters stated it is difficult to comment other than to agree that any outdated ''price election'' terminology should be updated.

Response: The proposed language to revise section 9 to clarify the price references was in the amendatory language of the proposed rule with request for comments. The amendatory language, which preceded the regulatory text in the proposed rule, stated ''l.

Amend section 9 by adding the phrase ', projected prices, dollar amounts of insurance, or dollar amounts of protection' after the phrase 'multiple price elections' in the two instances that it appears.'' FCIC has removed the phrase ''dollar amounts of protection'' because this phrase was applicable to the GRP and GRIP plans of insurance.

Section 10—Concealment or Fraud

Comment: A few commenters stated section 10(a) was not proposed to be revised, but recommended the reference to ''insurance provider'' be revised to ''approved insurance provider'' to match the term as defined in section 1.

Response: FCIC agrees the provisions should consistently use the term defined in section 1. However, FCIC believes the term ''insurance provider'' should be used instead of ''approved insurance provider'' to be consistent with other provisions in the policy. Therefore, FCIC has changed the defined term ''approved insurance provider'' to ''insurance provider'' and revised the definition to be consistent with the definition contained in the Area Risk Protection Insurance Final Rule.

Section 11—Exclusion of Coverage

Comment: A few commenters stated section 11(a) was not proposed to be revised in the Rule, but section 11(a) states ''Options or endorsements that extend the coverage available under any crop policy offered by FCIC will not be available under this endorsement . . .'' However, a few exceptions have been made to this statement in the Crop Insurance Handbook (for example, Frost Protection Option, Silage Sorghum Endorsement and Yield Adjustment Election). This would seem to contradict the ''order of priority'' statement at the beginning of this Endorsement that says the Catastrophic Risk Protection Endorsement takes priority over anything else in the case of a conflict.

Response: FCIC has made exceptions to allow catastrophic coverage on a few endorsements or options. These endorsements or options are not endorsements or options that add coverage to an underlying policy but actually are independent coverage that was derived from the existing underlying policy but for the purposes of administration have been referred to as options or endorsements. For example, under the current grain sorghum insurance program, grain sorghum grown for silage purposes is not eligible for insurance. Therefore, the Silage Sorghum Endorsement was created to provide crop insurance coverage for sorghum silage and FCIC has allowed catastrophic risk protection level of coverage for the silage sorghum. These exceptions do not include any provision that adds coverage to an existing policy for which additional premium would be charged. Such coverage is not provided under the catastrophic risk protection policy. Therefore, there is no real conflict with section 11(a).

List of Subjects in 7 CFR Part 402

Crop insurance, Reporting and recordkeeping requirements.

Final Rule

Accordingly, as set forth in the preamble, the Federal Crop Insurance Corporation amends 7 CFR part 402 as follows:

PART 402—CATASTROPHIC RISK PROTECTION ENDORSEMENT

■ 1. The authority citation for 7 CFR part 402 continues to read as follows:

Authority: 7 U.S.C. 1506(l), 1506(o).

■ 2. Amend § 402.4 as follows:
■ a. Revise introductory text preceding section 1;
■ b. Add the definition in section 1 for ''insurance provider'' in alphabetical order; remove the definitions of ''approved insurance provider,'' ''approved yield,'' ''county,'' ''expected market price,'' ''FCIC,'' ''FSA,'' ''household,'' ''limited resource farmer,'' ''Secretary,'' and ''USDA'';
■ c. Revise section 2(a);
■ d. Revise sections 3(a) and (b);
■ e. Revise section 4(a);
■ f. Amend section 4(b) by removing the phrase ''expected market price'' and adding the phrase ''price election'' in its place;
■ g. Amend section 4(c) by removing the phrase ''Actuarial Table or the'';
■ h. Remove section 4(d);
■ i. Amend section 6(b) introductory text by removing the phrase ''Special Provisions'' and adding the phrase ''actuarial documents'' in its place;
■ j. Revise section 6(c);
■ k. Revise section 7; and
■ l. Amend section 9 by adding the phrase '', projected prices, or amounts of insurance'' after the phrase ''price elections'' in the two instances that it appears.

The revised text reads as follows:

§ 402.4 Catastrophic Risk Protection Endorsement Provisions.

* * * * *

If a conflict exists among the policy, the order of priority is: (1) This Endorsement; (2) Special Provisions; (3) actuarial documents; (4) the Commodity Exchange Price Provisions, if applicable; and (5) any of the policies specified in section 2, with (1) controlling (2), etc.

* * * * *

1. Definitions

* * * * *

Insurance provider. A private insurance company that has been approved by FCIC to provide insurance coverage to producers participating in programs authorized by the Federal Crop Insurance Act.

* * * * *

2. Eligibility, Life of Policy, Cancellation, and Termination

(a) You must have one of the following policies in force to elect this Endorsement:

(1) The Common Crop Insurance Policy Basic Provisions (7 CFR 457.8) and applicable Crop Provisions (catastrophic risk protection coverage is not available under individual revenue plans of insurance such as Revenue Protection and Revenue Protection with Harvest Price Exclusion);

(2) The Area Risk Protection Insurance Basic Provisions (7 CFR 407.9) and applicable Crop Provisions (catastrophic risk protection coverage is not available under area revenue plans of insurance such as Area Revenue Protection or Area Revenue Protection with the Harvest Price Exclusion); or

(3) Other crop policies only if catastrophic risk protection coverage is provided in the applicable crop policy.

* * * * *

3. Unit Division

(a) This section is not applicable if you are insured under the Area Risk Protection Insurance Basic Provisions (7 CFR 407.9) and applicable Crop Provisions.

(b) This section is in lieu of the unit provisions specified in the applicable crop policy. For catastrophic risk protection coverage, a unit will be all insurable acreage of the insured crop in the county on the date coverage begins for the crop year:

(1) In which you have one hundred percent (100%) crop share; or

(2) Which is owned by one person and operated by another person on a share basis.

(Example: If, in addition to the land you own, you rent land from five landlords, three on a crop share basis and two on a cash basis, you would be entitled to four units; one for each crop share lease and one that combines the two cash leases and the land you own.)

* * * * *

4. Insurance Guarantees, Coverage Levels, and Prices for Determining Indemnities

(a) Unless otherwise specified in the Special Provisions, catastrophic risk protection coverage will offer protection equal to:

(1) Fifty percent (50%) of your approved yield indemnified at fifty-five percent (55%) of the price election or projected price, as applicable, if you are insured under the Common Crop Insurance Policy Basic Provisions (7 CFR 457.8) and applicable Crop Provisions;

(2) Sixty-five percent (65%) of the expected county yield indemnified at forty-five percent (45%) of the maximum protection per acre if you are insured under the Area Risk Protection Insurance Basic Provisions (7 CFR 407.9) and applicable Crop Provisions; or

(3) A comparable coverage as established by FCIC for other crop policies only if catastrophic risk protection coverage is provided in the applicable crop policy.

* * * * *

6. Annual Premium and Administrative Fees

* * * * *

(c) The administrative fee provisions of paragraph (b) of this section do not apply if you meet the definition of a limited resource farmer specified in the applicable crop policy. The administrative fee will be waived if you request it and you meet the requirements contained in the annual premium provisions of the applicable crop policy.

* * * * *

7. Insured Crop

The crop insured is specified in the applicable crop policy; however, for policies other than those insured under the Area Risk Protection Insurance Basic Provisions, notwithstanding any other policy provision requiring the same insurance coverage on all insurable acreage of the crop in the county, if you purchase additional coverage for a crop, you may separately insure acreage designated as ''high-risk'' land by FCIC under catastrophic risk protection coverage, provided that you execute a High-Risk Land Exclusion Option and obtain a catastrophic risk protection coverage policy with the same insurance provider on or before the applicable sales closing date. You will be required to pay a separate administrative fee for both the additional coverage policy and the catastrophic risk protection coverage policy.

* * * * *

Signed in Washington, DC, on August 20, 2013.

Brandon Willis,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 2013–20800 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–08–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0615; Directorate Identifier 2007–NM–352–AD; Amendment 39–17529; AD 2013–15–13]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all The Boeing Company Model 757 airplanes. This AD was prompted by two in-service occurrences on Model 737–400 airplanes of total loss of boost pump pressure of the fuel feed system, followed by loss of fuel system suction feed capability on one engine, and in-flight shutdown of the engine. This AD requires repetitive operational tests of the engine fuel suction feed of the fuel system, and corrective actions if necessary. We are issuing this AD to detect and correct loss of the engine fuel suction feed capability of the fuel system, which, in the event of total loss of the fuel boost pumps, could result in dual engine flameout, inability to restart the engines, and consequent forced landing of the airplane.

DATES: This AD is effective October 1, 2013.

The Director of the **Federal Register** approved the incorporation by reference of a certain publication listed in the AD as of October 1, 2013.

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Sue Lucier, Aerospace Engineer, Propulsion Branch, ANM–140S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone: 425–917–6438; fax: 425–917–6590; email: *suzanne.lucier@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to the specified products. The SNPRM published in the **Federal Register** on October 30, 2012 (77 FR 65642). We preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the **Federal Register** on June 6, 2008 (73 FR 32256). The NPRM proposed to require repetitive operational tests of the engine fuel suction feed of the fuel system, and other related testing if necessary, according to a method approved by the FAA. The SNPRM proposed to require repetitive operational tests of the engine fuel suction feed of the fuel system, and corrective actions if necessary.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the SNPRM (77 FR 65642, October 30, 2012) and the FAA's response to each comment.

Support for the SNPRM (77 FR 65642, October 30, 2012)

One commenter, Mara Essick, submitted support for the actions specified in the SNPRM (77 FR 65642, October 30, 2012).

Request To Provide Credit for Actions Done Before Service Bulletin Issued

American Airlines (AA) asked that we give credit for operators that accomplished the specified actions before issuance of Boeing Alert Service Bulletin 757–28A0131, dated May 4, 2012. AA stated that it accomplished the operational tests proposed in the original NPRM (73 FR 32256, June 6, 2008) in 2008, using the Boeing task cards or airplane maintenance manual (AMM). AA added that it continues to do the repetitive operational tests at intervals not to exceed 7,500 flight hours.

We do not agree with the commenter's request. Although we normally support granting credit for accomplishing actions prior to the effective date of the AD, the credit is generally given using a previous issue of the required service bulletin, not for an AMM or task cards. Under the provisions of paragraph (h) of this final rule, however, we may consider individual requests for credit for accomplishing actions prior to the effective date of the AD if data are submitted to substantiate that it provides an acceptable level of safety. We have made no change to the AD in this regard.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD as proposed.

Costs of Compliance

We estimate that this AD affects 673 airplanes of U.S. registry. We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Cost per product	Cost on U.S. operators
Operational Test	Up to 6 work hours × $85 per hour = $510 per engine, per test.	Up to $2,040, per test	Up to $343,230, per test

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2013–15–13 The Boeing Company: Amendment 39–17529; Docket No. FAA–2008–0615; Directorate Identifier 2007–NM–352–AD.

(a) Effective Date

This AD is effective October 1, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 757–200, –200PF, –200CB, and –300 series airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 2800, Aircraft Fuel System.

(e) Unsafe Condition

This AD was prompted by reports of two in-service occurrences on Model 737–400 airplanes of total loss of boost pump pressure of the fuel feed system, followed by loss of fuel system suction feed capability on one engine, and in-flight shutdown of the engine. We are issuing this AD to detect and correct loss of the engine fuel suction feed capability of the fuel system, which in the event of total loss of the fuel boost pumps could result in dual engine flameout, inability to restart the engines, and consequent forced landing of the airplane.

(f) Compliance

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

(g) Operational Test and Corrective Actions

Within 7,500 flight hours or 36 months after the effective date of this AD, whichever occurs first: Perform an operational test of the engine fuel suction feed of the fuel system, and do all applicable corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 757–28A0131, dated May 4, 2012. Do all applicable corrective actions before further flight. Repeat the operational test thereafter at intervals not to exceed 7,500 flight hours or 36 months, whichever occurs first. Thereafter, except as provided in paragraph

(h) of this AD, no alternative procedures or repeat test intervals will be allowed.

(h) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office.

(i) Related Information

For more information about this AD, contact Sue Lucier, Aerospace Engineer, Propulsion Branch, ANM–140S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone: 425–917–6438; fax: 425–917–6590; email: *suzanne.lucier@faa.gov.*

(j) Material Incorporated by Reference

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

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

(i) Boeing Alert Service Bulletin 757–28A0131, dated May 4, 2012.

(ii) Reserved.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.*

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

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

Issued in Renton, Washington, on July 21, 2013.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20718 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0617; Directorate Identifier 2007–NM–354–AD; Amendment 39–17533; AD 2013–15–17]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes. This AD was prompted by a report of an in-service occurrence of total loss of boost pump pressure of the fuel feed system, followed by loss of fuel system suction feed capability on one engine, and in-flight shutdown of the engine. This AD requires repetitive operational tests of the engine fuel suction feed of the fuel system, and other related testing and corrective action if necessary. We are issuing this AD to detect and correct loss of the engine fuel suction feed capability of the fuel system, which in the event of total loss of the fuel boost pumps could result in dual engine flameout, inability to restart the engines, and consequent forced landing of the airplane.

DATES: This AD is effective October 1, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of October 1, 2013.

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Sue Lucier, Aerospace Engineer, Propulsion Branch, ANM–140S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone: 425–917–6438; fax: 425–917–6590; email: *suzanne.lucier@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to the specified products. The SNPRM published in the **Federal Register** on June 25, 2012 (77 FR 37831). We preceded the SNPRM with a notice of proposed rulemaking (NPRM), which published in the **Federal Register** on June 6, 2008 (73 FR 32255). The NPRM proposed to require repetitive operational tests of the engine fuel suction feed of the fuel system, and other related testing if necessary. The SNPRM proposed to require repetitive operational tests of the engine fuel suction feed of the fuel system, and other related testing and corrective action if necessary.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal (77 FR 37831, June 25, 2012) and the FAA's response to each comment.

Requests To Change Certain Methods of Compliance

Boeing asked that we change the next to last sentence in paragraph (g) of the SNPRM (77 FR 37831, June 25, 2012), which specifies ''. . . using a method approved in accordance with the procedures specified in paragraph (h) of this AD'' to read ''If the test is not considered successful, as specified in AWL No. 28–AWL–101, before further flight, perform all related testing and corrective actions, and repeat the operational test specified in AWL No. 28–AWL–101.'' Boeing noted that paragraph (h) of the SNPRM (paragraph (i) of this final rule) does not provide testing and corrective actions for a failed test, and FAA approval of action taken

to address a failed test could result in an excessive burden to operators and could cause unnecessary grounding of airplanes while coordinating planned actions with the FAA.

Delta Airlines (DAL) requested that we include an existing fault isolation manual (FIM) procedure as an approved method for resolving unsuccessful testing.

American Airlines (AAL) stated that paragraph (g) of the SNPRM (77 FR 37831, June 25, 2012) specifies that the corrective action for findings from the operational test is to perform all related testing and corrective actions in accordance with the procedures specified in paragraph (h) of the SNPRM (paragraph (i) of this final rule). AAL added that paragraph (h) of the SNPRM provides information on obtaining AMOCs, and asked for clarification on that approval.

We agree to revise the requirements and methods of compliance specified in paragraph (g) of this AD. In paragraph (g)(1)(i) of this final rule, we have retained the requirement for performing all related testing and corrective actions using a method approved in accordance with the procedures specified in paragraph (i) of this AD. As requested by Boeing, we have added new paragraph (g)(1)(ii) to this final rule to perform all related testing and corrective actions, and to repeat the operational test specified in AWL No. 28–AWL–101. The actions specified in paragraph (g)(1)(ii) do not require submitting requests to the FAA for approval of a method of compliance. Therefore, including an existing FIM procedure in the AD as an approved method becomes unnecessary for resolving unsuccessful testing since operators may use any method of compliance to resolve unsuccessful testing, provided the operational test is repeated.

In addition, we have reviewed Boeing 737–600/700/700C/800/900/900ER Maintenance Planning Data (MPD) Document, Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D626A001–CMR, Revision August 2012, which includes AWL No. 28–AWL–101. As an option for the repetitive operational tests (specified in paragraph (g)(1) of this AD), we have specified incorporating AWL No. 28–AWL–101 into the maintenance program (paragraph (g)(2) of this AD). Compliance with these actions is required by section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an AMOC according to the procedures specified in paragraph (i) of this AD. The request should include a description of changes to the required actions that will ensure the continued operational safety of the airplane.

Requests To Allow Task Card Instructions as an AMOC; Clarify Airplane Maintenance Manual (AMM) Task

DAL suggested that the SNPRM (77 FR 37831, June 25, 2012) include compliance with the engine fuel suction feed test using Boeing 737–600/700/800 Task Card 28–050–00–01 as an AMOC. DAL stated that this task card complies with the requirements of AWL No. 28–AWL–101, which is specified in paragraph (g) of the SNPRM. AAL asked for clarification that Boeing AMM Task 28–22–00–710–802, Engine Fuel Suction Feed—Operational Test, can be used as an AMOC.

Although we agree that the task card contains adequate instructions to perform the test, we do not agree with identifying the task card information within the instructions for the mandated action. For clarification, general maintenance instructions are identified within the AWL for guidance, which means that if the operator already has an accepted alternative procedure, that procedure may be used. The maintenance program with the task cards incorporated is an acceptable alternative procedure. We have made no change to the AD in this regard.

Request To Increase Repetitive Interval for Operational Tests

AAL asked that we increase the repetitive operational test interval in the SNPRM (77 FR 37831, June 25, 2012) from 7,500 to 10,000 flight hours. AAL provided a risk-based assessment for extending the intervals based on its experience. AAL stated within its assessment that the loss of suction feed capability would remain remote with the extended testing interval.

We do not agree with the request to increase the repetitive operational test interval. The service data of transport category airplanes indicates that multi-engine flameouts generally result from a common cause such as fuel mismanagement, crew action that inadvertently shuts off the fuel supply to the engines, exposure to common environmental conditions, or engine deterioration occurring on all engines of the same type—not solely the failure of multiple fuel boost pumps. This risk assessment is based on the results of maintenance findings of one operator's fleet, and does not support increasing the repetitive interval. The current interval is based on an overall fleet assessment by the original equipment manufacturer. However, affected operators may request approval of an AMOC for an increase of the repetitive operational test interval under the provisions of paragraph (i) of this AD by submitting data substantiating that the change would provide an acceptable level of safety. We have made no change to the AD in this regard.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously. We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

Costs of Compliance

We estimate that this AD affects 1,080 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Cost per product	Cost on U.S. operators
Operational Test/Revision	1 work-hour × $85 per hour = $85	$85	$91,800

We have received no definitive data that would enable us to provide a cost estimate for the on-condition actions or the optional terminating action specified in this AD.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2013–15–17 The Boeing Company: Amendment 39–17533; Docket No. FAA–2008–0617; Directorate Identifier 2007–NM–354–AD.

(a) Effective Date

This AD is effective October 1, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes, certificated in any category, with a date of issuance of the original airworthiness certificate or the date of issuance of the original export certificate of airworthiness before March 22, 2011.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 2800, Aircraft Fuel System.

(e) Unsafe Condition

This AD was prompted by a report of an in-service occurrence of total loss of boost pump pressure of the fuel feed system, followed by loss of fuel system suction feed capability on one engine, and in-flight shutdown of the engine. We are issuing this AD to detect and correct loss of the engine fuel suction feed capability of the fuel system, which in the event of total loss of the fuel boost pumps could result in dual engine flameout, inability to restart the engines, and consequent forced landing of the airplane.

(f) Compliance

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

(g) Repetitive Operational Tests or Maintenance Program Revision

Do the requirements of paragraph (g)(1) or (g)(2) of this AD.

(1) Within 7,500 flight hours or 36 months after the effective date of this AD, whichever occurs first: Do the initial operational test identified in Airworthiness Limitation (AWL) No. 28–AWL–101, Engine Fuel Suction Feed Operational Test, of Section E., AWL—Fuel Systems of Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D626A001–CMR, Revision August 2011 or August 2012, of the Boeing 737–600/700/700C/800/900/900ER Maintenance Planning Data (MPD) Document. Repeat the test thereafter at intervals not to exceed 7,500 flight hours or 36 months, whichever is earlier. Thereafter, except as provided in paragraph (i) of this AD, no alternative procedure or repetitive test intervals will be allowed. If any test is not considered successful, as specified in AWL No. 28–AWL–101, before further flight, do either paragraph (g)(1)(i) or (g)(1)(ii) of this AD.

(i) Perform all related testing and corrective actions, using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(ii) Perform all related testing and corrective actions; and repeat the operational test specified in paragraph (g)(1) of this AD.

(2) Within 90 days after the effective date of this AD: Revise the maintenance program to incorporate the limitations specified in AWL No. 28–AWL–101, Engine Fuel Suction Feed Operational Test, of Section E., AWL—Fuel Systems of Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D626A001–CMR, Revision August 2012, of the Boeing 737–600/700/700C/800/900/900ER MPD Document. The initial compliance time for the task is within 7,500 flight hours or 36 months after the effective date of this AD, whichever occurs first.

(h) No Alternative Actions or Intervals

After accomplishing the revision provided by paragraph (g)(2) of this AD, no alternative actions or repetitive test intervals may be used unless the actions or intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office.

(j) Related Information

For more information about this AD, contact Sue Lucier, Aerospace Engineer, Propulsion Branch, ANM–140S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone: 425–917–6438; fax: 425–917–6590; email: *suzanne.lucier@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D626A001–CMR, Revision August 2011, of the Boeing 737–600/700/700C/800/900/900ER Maintenance Planning Data (MPD) Document.

(ii) Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance

Requirements (CMRs), D626A001–CMR, Revision August 2012, of the Boeing 737–600/700/700C/800/900/900ER MPD Document.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.*

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

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

Issued in Renton, Washington, on July 21, 2013.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20730 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–1078; Directorate Identifier 2011–NM–012–AD; Amendment 39–17534; AD 2013–15–18]

RIN 2120–AA64

Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding an airworthiness directive (AD) for all Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model L–1011 series airplanes. AD 2005–15–01 required repetitive inspections to detect corrosion or fatigue cracking of certain structural elements of the airplane, corrective actions if necessary, and incorporation of certain structural modifications. This new AD reduces certain compliance times for the initial inspection and the repetitive inspection interval for certain airplanes. This AD was prompted by reports of small cracks in additional areas outside those addressed in AD 2005–15–01, prior to the inspection threshold required by the AD 2005–15–01. We are issuing this AD to prevent corrosion or fatigue cracking of certain structural elements, which could result in reduced structural integrity of the airplane.

DATES: This AD is effective October 1, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of October 1, 2013.

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of August 26, 2005 (70 FR 42262, July 22, 2005).

ADDRESSES: For service information identified in this AD, contact Lockheed Martin Corporation/Lockheed Martin Aeronautics Company, L–1011 Technical Support Center, Dept. 6A4M, Zone 0579, 86 South Cobb Drive, Marietta, GA 30063–0579; telephone 770–494–5444; fax 770–494–5445; email *L1011.support@lmco.com;* Internet *http://www.lockheedmartin.com/ams/tools/TechPubs.html.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Carl Gray, Aerospace Engineer, Airframe Branch, ACE–117A, FAA, Atlanta Aircraft Certification Office (ACO), 1701 Columbia Avenue, College Park, Georgia 30337; phone: 404–474–5554; fax: 404–474–5605; email: *carl.w.gray@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005). AD 2005–15–01 applied to the specified products. The NPRM published in the **Federal Register** on October 16, 2012 (77 FR 63275). The NPRM proposed to continue to require repetitive inspections to detect corrosion or fatigue cracking of certain structural elements of the airplane, corrective actions if necessary, and incorporation of certain structural modifications. The NPRM also proposed to require reducing certain compliance times for the initial inspection and the repetitive inspection interval for certain airplanes.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal (77 FR 63275, October 16, 2012) and the FAA's response to each comment.

Request To Update Certain Address Information

Lockheed Martin Corporation/Lockheed Martin Aeronautics Company requested that we revise the NPRM (77 FR 63275, October 16, 2012) to update its address information.

We agree to update the address information in this final rule. We have included this updated information in the **ADDRESSES** section and paragraph (n)(5) of this AD.

Additional Change Made to This AD

We have revised paragraph (g)(10) of this AD (in table 1 to paragraph (g) of this AD) to include paragraph identifiers for paragraphs (g)(10)(i) and (g)(10)(ii) of this AD. This change is for formatting purposes only.

Conclusion

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this AD with the change described previously—and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (77 FR 63275, October 16, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (77 FR 63275, October 16, 2012).

We also determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Costs of Compliance

We estimate that this AD affects 26 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspections [retained actions from AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)].	129 work-hours × $85 per hour = $10,965 per inspection cycle.	$0	$10,965 per inspection cycle.	$285,090 per inspection cycle.
Modification [retained action from AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)].	614 work-hours × $85 per hour = $52,190.	$142,275	$194,465	$5,056,090.

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005), and adding the following new AD:

2013–15–18 Lockheed Martin Corporation/Lockheed Martin Aeronautics Company: Amendment 39–17534; Docket No. FAA–2012–1078; Directorate Identifier 2011–NM–012–AD.

(a) Effective Date

This AD is effective October 1, 2013.

(b) Affected ADs

This AD supersedes AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005).

(c) Applicability

This AD applies to all Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model L–1011–385–1, L–1011–385–1–14, L–1011–385–1–15, and L–1011–385–3 airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 51, Standard practices/structures; 52, Doors; 53, Fuselage; 57, Wings.

(e) Unsafe Condition

This AD was prompted by reports of small cracks in additional areas outside those addressed in AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005), prior to the inspection threshold required by AD 2005–15–01. We are issuing this AD to prevent corrosion or fatigue cracking of certain structural elements, which could result in reduced structural integrity of the airplane.

(f) Compliance

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

(g) Retained Inspections With Revised Service Information and Reduced Compliance Times

This paragraph restates the inspections required by paragraph (a) of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005), with revised service information and reduced compliance times for paragraph (g)(16) of this AD. At the time specified in the ''Initial Compliance Time'' column of table 1 to paragraph (g) of this AD, perform structural inspections to detect corrosion or fatigue cracking of certain structural elements of the airplane, in accordance with the applicable service bulletins listed under ''Service Bulletin Number, Revision, and Date'' in tables I and II of Lockheed Tristar L–1011 Service Bulletin 093–51–041, Revision 1, dated March 3, 2000; or Revision 2, dated March 30, 2010 (The applicable service bulletins are also identified in Table 1 to paragraph (g) of this AD.) As of the effective date of this AD, only Lockheed Tristar L–1011 Service Bulletin 093–51–041, Revision 2, dated March 30, 2010, may be used for the actions required by this paragraph. Thereafter, repeat the inspections at intervals specified in the ''Repetitive Intervals'' column of table 1 to paragraph (g) of this AD.

TABLE 1 TO PARAGRAPH (g) OF THIS AD

Lockheed TriStar L–1011 Service Bulletin	Initial compliance time (whichever occurs later between the times in "Inspection Threshold" and "Grace Period")		Repetitive intervals	Terminating action
	Inspection threshold	Grace period		
(1) 093–53–269, Revision 1, dated October 28, 1997.	Before the accumulation of 8,000 total flight cycles or 15,000 total flight hours, whichever occurs first.	Within 6,450 flight cycles or 5 years after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 6,450 flight cycles or 5 years, whichever occurs first.	(None).
(2) 093–53–274, dated May 28, 1997.	Within 14 months after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)).	(None)	At intervals not to exceed 14 months.	(None).
(3) 093–53–275, dated December 10, 1996.	Within 6,450 flight cycles or 5 years after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	(None)	(None)	(None).
(4) 093–53–276, dated June 17, 1996.	At the next Corrosion Prevention and Control Program (CPCP) inspection after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)).	(None)	At intervals not to exceed the next CPCP inspection.	(None).
(5) 093–57–085, Revision 1, dated December 1, 1997.	Before the accumulation of 26,000 total flight cycles or 48,000 total flight hours, whichever occurs first.	Within 1,800 flight cycles or 3,300 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 1,800 flight cycles or 3,300 flight hours, whichever occurs first.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–57–085, Basic Issue, dated May 7, 1993; or Revision 1, dated December 1, 1997.
(6) 093–57–208, Revision 1, dated October 28, 1997.	Before the accumulation of 18,000 total flight cycles.	Within 6,450 flight cycles or 5 years after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 6,450 flight cycles or 5 years, whichever occurs first.	(None).
(7) 093–52–210, dated July 19, 1991, including Lockheed LCC–7622–248, Corrosion Removal and Refurbishment of C1–A Cargo Door Cam Latches, Latch Bellcranks and Matched Latch Support Assemblies, dated February 27, 1990.	Within 5,000 flight hours or 18 months after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	(None)	(None)	(None).
(8) 093–53–054, Revision 1, dated August 12, 1975.	Within 6,450 flight cycles or 5 years after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	(None)	(None)	(None).

TABLE 1 TO PARAGRAPH (g) OF THIS AD—Continued

Lockheed TriStar L–1011 Service Bulletin	Initial compliance time (whichever occurs later between the times in "Inspection Threshold" and "Grace Period")		Repetitive intervals	Terminating action
	Inspection threshold	Grace period		
(9) 093–53–070, Revision 3, dated September 19, 1989.	Before the accumulation of 6,000 total flight hours.	Within 1,500 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)).	At intervals not to exceed 3,000 flight hours.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–53–070, Basic Issue, dated September 26, 1974; Revision 1, dated January 23, 1975; Revision 2, dated July 7, 1975; or Revision 3, dated September 19, 1989.
(10) 093–53–085, Revision 3, dated December 15, 1989.	(i) Part I: Before the accumulation of 20,000 flight cycles or 37,000 total flight hours, whichever occurs first.	Part I: Within 1,600 flight cycles or 3,000 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	Part I: At intervals not to exceed 1,600 flight cycles or 3,000 flight hours, whichever occurs first.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–53–085, Basic Issue, dated September 29, 1975; Revision 1, dated September 3, 1976; or Revision 2, dated February 8, 1988.
	(ii) Part II: Before the accumulation of 30,000 flight cycles or 55,000 total flight hours, whichever occurs first.	Part II: Within 5,000 flight cycles or 9,200 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	Part II: At intervals not to exceed 5,000 flight cycles or 9,200 flight hours, whichever occurs first.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–53–085, Basic Issue, dated September 29, 1975; Revision 1, dated September 3, 1976; or Revision 2, dated February 8, 1988.
(11) 093–53–086, Revision 5, dated April 12, 1990.	Before the accumulation of 9,000 flight cycles or 10,000 flight hours, whichever occurs first.	Within 1,600 flight cycles or 3,000 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 1,600 flight cycles or 3,000 flight hours, whichever occurs first.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–53–086, Basic Issue, dated September 26, 1975; Revision 1, dated November 12, 1975; Revision 2, dated December 12, 1976; Revision 3, dated July 19, 1977; Revision 4, dated July 8, 1985; or Revision 5, dated April 12, 1990.
(12) 093–53–110, Revision 1, dated May 7, 1993.	Before the accumulation of 22,000 total flight cycles or 40,000 total flight hours, whichever occurs first.	Within 2,200 flight cycles or 4,000 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 2,200 flight cycles or 4,000 flight hours, whichever occurs first.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–53–110, Basic Issue, dated August 19, 1991; or Revision 1, dated May 7, 1993.
(13) Change Notification 093–53–260, CN4, dated May 8, 1998.	Before the accumulation of 8,000 total flight cycles or 20,000 total flight hours, whichever occurs first.	Within 800 flight cycles or 1,500 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 800 flight cycles or 1,500 flight hours, whichever occurs first.	Inspection and modification in accordance with Part 2.A. of Lockheed TriStar L–1011 Service Bulletin 093–53–260, Basic Issue, dated May 15, 1991.
(14) Change Notification 093–53–266, CN1, dated July 10, 1992.	Within 12 months after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)).	(None)	At intervals not to exceed 90 days.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–53–266, Basic Issue, dated March 2, 1992.

TABLE 1 TO PARAGRAPH (g) OF THIS AD—Continued

Lockheed TriStar L–1011 Service Bulletin	Initial compliance time (whichever occurs later between the times in "Inspection Threshold" and "Grace Period")		Repetitive intervals	Terminating action
	Inspection threshold	Grace period		
(15) Change Notification 093–57–058, R5–CN1, dated May 3, 1993.	Before the accumulation of 20,000 total flight cycles or 37,000 total flight hours, whichever occurs first.	Within 1,600 flight cycles or 3,000 flight hours after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 1,600 flight cycles or 3,000 flight hours, whichever occurs first.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–57–058, Basic Issue, dated September 16, 1975; Revision 1, dated December 1, 1976; Revision 2, dated June 30, 1978; Revision 3, dated October 19, 1978; Revision 4, dated July 6, 1981; or Revision 5, dated June 9, 1983.
(16) Change Notification 093–57–195, R3–CN1, dated August 22, 1995; or Lockheed TriStar L–1011 Service Bulletin 093–57–195, Revision 4, dated March 17, 2010.	At the applicable time specified in paragraph (j) of this AD.	At the applicable time specified in paragraph (j) of this AD.	At the applicable time specified in paragraph (k) of this AD.	Modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–57–195, Revision 2, dated July 27, 1990; Revision 3, dated June 30, 1992; or Revision 4, dated March 17, 2010.
(17) Change Notification 093–57–213, CN1, dated February 20, 1996.	(i) For Model L–1011–385–1, L–1011–385–1–14, L–1011–385–1–15: Before the accumulation of 15,000 total flight cycles.	Within 6,450 flight cycles or 5 years after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 6,450 flight cycles or 5 years, whichever occurs first.	Repair or modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–57–213, Basic Issue, dated December 9, 1994.
	(ii) For Model L–1011–385–3: Before the accumulation of 10,000 total flight cycles.	Within 6,450 flight cycles or 5 years after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs first.	At intervals not to exceed 6,450 flight cycles or 5 years, whichever occurs first.	Repair or modification in accordance with Lockheed TriStar L–1011 Service Bulletin 093–57–213, Basic Issue, dated December 9, 1994.

(h) Retained Corrective Action With a Certain Compliance Method Removed and Revised Service Information

This paragraph restates the corrective action required by paragraph (b) of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005), with a certain compliance method removed and revised service information. If any cracking or corrosion is detected during any inspection required by paragraph (g) of this AD, prior to further flight, accomplish the actions specified in paragraph (h)(1), (h)(2), or (h)(3) of this AD.

(1) Repair in accordance with the applicable service bulletin referenced in table I or II of Lockheed Tristar L–1011 Service Bulletin 093–51–041, Revision 1, dated March 3, 2000; or Revision 2, dated March 30, 2010.

(2) Accomplish the terminating modification in accordance with the applicable service bulletin referenced in table I or II of Lockheed Tristar L–1011 Service Bulletin 093–51–041, Revision 1, dated March 3, 2000; or Revision 2, dated March 30, 2010.

(3) Repair in accordance with a method approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA. Information on additional methods of compliance can be obtained from the Manager, Atlanta ACO.

(i) Retained Terminating Action

This paragraph restates the terminating action required by paragraph (c) of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005). Within 5 years or 5,000 flight cycles after August 26, 2005 (the effective date of AD 2005–15–01), whichever occurs first, install the terminating modification referenced in the applicable service bulletin listed in table 1 to paragraph (g) of this AD, in accordance with the applicable service bulletin listed in table 1 to paragraph (g) of this AD. Such installation constitutes terminating action for the applicable structural inspection required by paragraph (g) of this AD.

(j) Newly Revised Initial Inspection Compliance Time for Certain Airplanes

For airplanes identified in Lockheed TriStar L–1011 Service Bulletin 093–57–195, Revision 4, dated March 17, 2010: Do the initial inspection required by paragraph (g)(16) of this AD at the applicable time specified in paragraph (j)(1) or (j)(2) of this AD.

(1) For airplanes having serial numbers (S/Ns) 1002 through 1109 inclusive: At the earlier of the times specified in paragraphs (j)(1)(i) and (j)(1)(ii) of this AD.

(i) Before the accumulation of 20,000 total flight cycles, or within 2,200 flight cycles after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs later.

(ii) Before the accumulation of 15,000 total flight cycles, or within 2,200 flight cycles after the effective date of this AD, whichever occurs later.

(2) For airplanes having S/Ns 1110 through 1250 inclusive: At the earlier of the times specified in paragraphs (j)(2)(i) and (j)(2)(ii) of this AD.

(i) Before the accumulation of 30,000 total flight cycles, or within 2,200 flight cycles after August 26, 2005 (the effective date of AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005)), whichever occurs later.

(ii) Before the accumulation of 15,000 total flight cycles, or within 2,200 flight cycles

after the effective date of this AD, whichever occurs later.

(k) Newly Revised Repetitive Intervals for Certain Airplanes

For airplanes identified in paragraph (j) of this AD, repeat the inspection required by paragraph (j) of this AD thereafter at the applicable times specified in paragraph (k)(1) or (k)(2) of this AD.

(1) For airplanes having S/Ns 1002 through 1156 inclusive: Repeat the inspection at intervals not to exceed 2,200 flight cycles.

(2) For airplanes having S/Ns 1157 through 1250 inclusive: Repeat the inspection one time within 2,200 flight cycles after the most recent inspection, and thereafter at intervals not to exceed 1,750 flight cycles.

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Atlanta ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office.

(m) Related Information

For more information about this AD, contact Carl Gray, Aerospace Engineer, Airframe Branch, ACE–117A, FAA, Atlanta Aircraft Certification Office (ACO), 1701 Columbia Avenue, College Park, Georgia 30337; phone: 404–474–5554; fax: 404–474–5605; email: *carl.w.gray@faa.gov*.

(n) Material Incorporated by Reference

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

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

(3) The following service information was approved for IBR on October 1, 2013.

(i) Lockheed TriStar L–1011 Service Bulletin 093–57–195, Revision 4, dated March 17, 2010.

(ii) Lockheed Tristar L–1011 Service Bulletin 093–51–041, Revision 2, dated March 30, 2010.

(iii) Lockheed TriStar L–1011 Service Bulletin 093–53–269, Revision 1, dated October 28, 1997.

(iv) Lockheed TriStar L–1011 Service Bulletin 093–53–274, dated May 28, 1997.

(v) Lockheed TriStar L–1011 Service Bulletin 093–53–275, dated December 10, 1996.

(vi) Lockheed TriStar L–1011 Service Bulletin 093–53–276, dated June 17, 1996.

(vii) Lockheed TriStar L–1011 Service Bulletin 093–57–208, Revision 1, dated October 28, 1997.

(viii) Lockheed TriStar L–1011 Service Bulletin 093–52–210, dated July 19, 1991, including Lockheed LCC–7622–248, Corrosion Removal and Refurbishment of C1–A Cargo Door Cam Latches, Latch Bellcranks and Matched Latch Support Assemblies, dated February 27, 1990. Pages 1 and 3–8 of this document are dated February 27, 1990. Page 2 is dated February 19, 1990. Page 9 is dated January 4, 1990. Pages 10 and 11 are dated January 5, 1990.

(ix) Lockheed TriStar L–1011 Service Bulletin 093–53–054, Revision 1, dated August 12, 1975.

(x) Lockheed TriStar L–1011 Service Bulletin 093–53–085, Revision 3, dated December 15, 1989. Pages 3, 4, 7–14, and 16–23 are dated February 8, 1988. Pages 1, 2, 5, 6, and 15 are dated December 15, 1989.

(xi) Lockheed TriStar L–1011 Service Bulletin Change Notification 093–53–260, CN4, dated May 8, 1998.

(xii) Lockheed TriStar L–1011 Service Bulletin Change Notification 093–53–266, CN1, dated July 10, 1992.

(xiii) Lockheed TriStar L–1011 Service Bulletin Change Notification 093–57–058, R5–CN1, dated May 3, 1993.

(xiv) Lockheed TriStar L–1011 Service Bulletin Change Notification 093–57–195, R3–CN1, dated August 22, 1995.

(xv) Lockheed TriStar L–1011 Service Bulletin Change Notification 093–57–213, CN1, dated February 20, 1996.

(xvi) Lockheed TriStar L–1011 Service Bulletin 093–57–195, Revision 2, dated July 27, 1990.

(xvii) Lockheed TriStar L–1011 Service Bulletin 093–57–195, Revision 3, dated June 30, 1992. Pages 1–6, 23–28, 33, 34, 41, 42, and 45–52 of this document are identified as Revision 3, dated June 30, 1992; Pages 7–22, 29–32, 35–40, 43, and 44 are identified as Revision 2, dated July 27, 1990.

(xviii) Lockheed TriStar L–1011 Service Bulletin 093–57–213, dated December 9, 1994.

(4) The following service information was approved for IBR on August 26, 2005 (70 FR 42262, July 22, 2005).

(i) Lockheed TriStar L–1011 Service Bulletin 093–51–041, Revision 1, dated March 3, 2000.

(ii) Lockheed TriStar L–1011 Service Bulletin 093–53–070, Basic Issue, dated September 26, 1974.

(iii) Lockheed TriStar L–1011 Service Bulletin 093–53–070, Revision 1, dated January 23, 1975. Pages 1, 4–7, and 13–17 of this document are identified as Revision 1, dated January 23, 1975. Pages 2, 3, and 8–12 of this document are identified as Basic Issue, dated September 26, 1974.

(iv) Lockheed TriStar L–1011 Service Bulletin 093–53–070, Revision 2, dated July 7, 1975. Pages 1, 2, 7, and 9–14 of this document are identified as Revision 2, dated July 7, 1975. Pages 3 and 8 of this document are identified as Basic Issue, dated September 26, 1974. Pages 4–6 and 15–17 of this document are identified as Revision 1, dated January 23, 1975.

(v) Lockheed TriStar L–1011 Service Bulletin 093–53–070, Revision 3, dated September 19, 1989. Pages 1–6 and 8–10 of this document are identified as Revision 3, dated September 19, 1989. Page 7 of this document is identified as Basic Issue, dated September 26, 1974.

(vi) Lockheed TriStar L–1011 Service Bulletin 093–53–085, Basic Issue, dated September 29, 1975.

(vii) Lockheed TriStar L–1011 Service Bulletin 093–53–085, Revision 1, dated September 3, 1976. Pages 1–3, 6, 9–11, and 15 of this document are identified as Revision 1, dated September 3, 1976. Pages 4, 5, 7, 8, 12–14, and 16 of this document are identified as Basic Issue, dated September 29, 1975.

(viii) Lockheed TriStar L–1011 Service Bulletin 093–53–085, Revision 2, dated February 8, 1988.

(ix) Lockheed TriStar L–1011 Service Bulletin 093–53–086, Basic Issue, dated September 26, 1975.

(x) Lockheed TriStar L–1011 Service Bulletin 093–53–086, Revision 1, dated November 12, 1975. Pages 1, 2, 11, and 15 of this document are identified as Revision 1, dated November 12, 1975. Pages 3–10, 12–14, and 16 of this document are identified as Basic Issue, dated September 26, 1975.

(xi) Lockheed TriStar L–1011 Service Bulletin 093–53–086, Revision 2, dated December 12, 1976. Pages 1, 2, 7, 15, and 16 of this document are identified as Revision 2, dated December 12, 1976. Pages 3–6, 8–10, and 12–14 of this document are identified as Basic Issue, dated September 26, 1975. Page 11 of this document is identified as Revision 1, dated November 12, 1975.

(xii) Lockheed TriStar L–1011 Service Bulletin 093–53–086, Revision 3, dated July 19, 1977. Pages 1, 2, 4, 7, 10, 11, and 15 of this document are identified as Revision 3, dated July 19, 1977. Pages 3, 5, 6, 8, 9, and 12–14 of this document are identified as Basic Issue, dated September 26, 1975. Page 16 of this document is identified as Revision 2, dated December 12, 1976.

(xiii) Lockheed TriStar L–1011 Service Bulletin 093–53–086, Revision 4, dated July 8, 1985. Pages 1–4, 15, and 16 of this document are identified as Revision 4, dated July 8, 1985. Pages 5, 6, 8, 9, and 12–14 of this document are identified as Basic Issue, dated September 26, 1975. Pages 7, 10, and 11 of this document are identified as Revision 3, dated July 19, 1977.

(xiv) Lockheed TriStar L–1011 Service Bulletin 093–53–086, Revision 5, dated April 12, 1990. Pages 1–9 and 13 of this document are identified as Revision 5, dated April 12, 1990. Pages 10–12 of this document are identified as Basic Issue, dated September 26, 1975. Page 14 of this document is identified as Revision 4, dated July 8, 1985.

(xv) Lockheed TriStar L–1011 Service Bulletin 093–53–110, Basic Issue, dated August 19, 1991.

(xvi) Lockheed TriStar L–1011 Service Bulletin 093–53–110, Revision 1, dated May 7, 1993. Pages 1–7 and 9–12 of this document are identified as Revision 1, dated May 7, 1993. Page 8 of this document is identified as Basic Issue, dated August 19, 1991.

(xvii) Lockheed TriStar L–1011 Service Bulletin 093–53–260, Basic Issue, dated May 15, 1991.

(xviii) Lockheed TriStar L–1011 Service Bulletin 093–53–266, Basic Issue, dated March 2, 1992.

(xix) Lockheed TriStar L–1011 Service Bulletin 093–57–058, Basic Issue, dated September 16, 1975.

(xx) Lockheed TriStar L–1011 Service Bulletin 093–57–058, Revision 1, dated December 1, 1976. Pages 1, 2, 4, 7, 8, 11, and 15–19 of this document are identified as Revision 1, dated December 1, 1976. Pages 3, 5, 6, 9, 10, and 12–14 of this document are identified as Basic Issue, dated September 16, 1975.

(xxi) Lockheed TriStar L–1011 Service Bulletin 093–57–058, Revision 2, dated June 30, 1978. Pages 1–4, 7, 8, 11, and 15–19 of this document are identified as Revision 2, dated June 30, 1978. Pages 5, 6, 9, 10, and 12–14 of this document are identified as Basic issue, dated September 16, 1975.

(xxii) Lockheed TriStar L–1011 Service Bulletin 093–57–058, Revision 3, dated October 19, 1978. Pages 1–3, 7, 8, 11, and 15–19 of this document are identified as Revision 3, dated October 19, 1978. Page 4 of this document is identified as Revision 2, dated June 30, 1978. Pages 5, 6, 9, 10, and 12–14 of this document are identified as Basic Issue, dated September 16, 1975.

(xxiii) Lockheed TriStar L–1011 Service Bulletin 093–57–058, Revision 4, dated July 6, 1981. Pages 1–3 and 19 of this document are identified as Revision 4, dated July 6, 1981. Pages 4 and 15 of this document are identified as Revision 2, dated June 30, 1978. Pages 5, 6, 9, 10, and 12–14 of this document are identified as Basic Issue, dated September 16, 1975. Pages 7, 8, 11, and 16–18 of this document are identified as Revision 3, dated October 19, 1978.

(xxiv) Lockheed TriStar L–1011 Service Bulletin 093–57–058, Revision 5, dated June 9, 1983. Pages 1, 3, 4, and 7 of this document are identified as Revision 5, dated June 9, 1983. Page 2 of this document is identified as Revision 4, dated July 6, 1981. Pages 5, 6, 9, 10, and 12–14 of this document are identified as Basic Issue, dated September 16, 1975. Pages 8, 11, and 16–19 of this document are identified as Revision 3, dated October 19, 1978. Page 15 of this document is identified as Revision 2, dated June 30, 1978.

(xxv) Lockheed TriStar L–1011 Service Bulletin 093–57–085, Basic Issue, dated May 7, 1993. This document was incorrectly identified as ''Revision 1'' in the ''Service bulletin'' column of Table 2—Material Incorporated by Reference in AD 2005–15–01, Amendment 39–14190 (70 FR 42262, July 22, 2005).

(xxvi) Lockheed TriStar L–1011 Service Bulletin 093–57–085, Revision 1, dated December 1, 1997. Pages 1–7, 9, and 10 of this document are identified as Revision 1, dated December 1, 1997. Pages 8 and 11–17 are identified as Basic issue, dated May 7, 1993.

(5) For Lockheed service information identified in this AD, contact Lockheed Martin Corporation/Lockheed Martin Aeronautics Company, L1011 Technical Support Center, Dept. 6A4M, Zone 0579, 86 South Cobb Drive, Marietta, GA 30063–0579; telephone 770–494–5444; fax 770–494–5445; email *L1011.support@lmco.com;* Internet *http://www.lockheedmartin.com/ams/tools/TechPubs.html.*

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

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

Issued in Renton, Washington, on July 21, 2013.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20731 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0709; Amendment No. 71–45]

RIN 2120–AA66

Airspace Designations; Incorporation by Reference

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 relating to airspace designations to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9X, Airspace Designations and Reporting Points. This action also explains the procedures the FAA will use to amend the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points incorporated by reference.

DATES: These regulations are effective September 15, 2013, through September 15, 2014. The incorporation by reference of FAA Order 7400.9X is approved by the Director of the Federal Register as of September 15, 2013, through September 15, 2014.

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

SUPPLEMENTARY INFORMATION:

History

FAA Order 7400.9W, Airspace Designations and Reporting Points, effective September 15, 2012, listed Class A, B, C, D and E airspace areas; air traffic service routes; and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the Federal Register to incorporate the material by reference in the Federal Aviation Regulations section 71.1, effective September 15, 2012, through September 15, 2013. During the incorporation by reference period, the FAA processed all proposed changes of the airspace listings in FAA Order 7400.9W in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings were published in full text as final rules in the **Federal Register**. This rule reflects the periodic integration of these final rule amendments into a revised edition of Order 7400.9X, Airspace Designations and Reporting Points. The Director of the Federal Register has approved the incorporation by reference of FAA Order 7400.9X in section 71.1, as of September 15, 2013, through September 15, 2014. This rule also explains the procedures the FAA will use to amend the airspace designations incorporated by reference in part 71. Sections 71.5, 71.15, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, and 71.901 are also updated to reflect the incorporation by reference of FAA Order 7400.9X.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9X, effective September 15, 2013, through September 15, 2014. During the incorporation by reference period, the FAA will continue to process all proposed changes of the airspace listings in FAA Order 7400.9X in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings will be published in full text as final rules in the **Federal Register**. The FAA will periodically integrate all final rule amendments into a revised edition of the Order, and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in section 71.1.

The FAA has determined that this action: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February

26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. This action neither places any new restrictions or requirements on the public, nor changes the dimensions or operation requirements of the airspace listings incorporated by reference in part 71.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

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

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

■ 2. Section 71.1 is revised to read as follows:

§ 71.1 Applicability.

A listing for Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points can be found in FAA Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The approval to incorporate by reference FAA Order 7400.9X is effective September 15, 2013, through September 15, 2014. During the incorporation by reference period, proposed changes to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as proposed rule documents in the **Federal Register**. Amendments to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as final rules in the **Federal Register**. Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. Copies of FAA Order 7400.9X may be obtained from Airspace Policy and ATC Procedures Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, (202) 267–8783. An electronic version of the Order is available on the FAA Web site at *http://www.faa.gov/air_traffic/publications.* Copies of FAA Order 7400.9X may be inspected in Docket No. FAA–2013–0709; Amendment No. 71–45 on *http://www.regulations.gov.* A copy of AFF Order 7400.9W may be inspected at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

§ 71.5 [Amended]

■ 3. Section 71.5 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.15 [Amended]

■ 4. Section 71.15 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.31 [Amended]

■ 5. Section 71.31 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.33 [Amended]

■ 6. Paragraph (c) of § 71.33 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.41 [Amended]

■ 7. Section 71.41 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.51 [Amended]

■ 8. Section 71.51 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.61 [Amended]

■ 9. Section 71.61 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.71 [Amended]

■ 10. Paragraphs (b), (c), (d), (e), and (f) of § 71.71 are amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

§ 71.901 [Amended]

■ 11. Paragraph (a) of § 71.901 is amended by removing the words ''FAA Order 7400.9W'' and adding, in their place, the words ''FAA Order 7400.9X''.

Issued in Washington, DC, on August 13, 2013.

Gary A. Norek,

Manager, Airspace Policy and ATC Procedures Group.

[FR Doc. 2013–20874 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 91, 121, 125, and 135

[Docket No.: FAA–2012–0953]

Occupational Safety and Health Standards for Aircraft Cabin Crewmembers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability; final policy and disposition of comments.

SUMMARY: This notice announces the availability of a new policy statement regarding the regulation of some occupational safety and health conditions affecting cabin crewmembers on aircraft by the Occupational Safety and Health Administration. This policy statement will enhance occupational safety and health in the aircraft cabin by establishing the extent to which the Occupational Safety and Health Administration requirements may apply to the working conditions of aircraft cabin crew while they are onboard aircraft in operation.

DATES: This action becomes effective September 26, 2013.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this policy statement, contact Gene Kirkendall, Part 121 Air Carrier Operations Branch (AFS–220), Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–8166; email *Gene.Kirkendall@faa.gov.*

SUPPLEMENTARY INFORMATION: The FAA Policy Statement, Occupational Safety and Health Standards for Aircraft Cabin Crewmembers, is available at regulations.gov. (See docket number FAA–2012–0953.)

Disposition of Comments

On December 7, 2012, the FAA published a draft policy statement in the **Federal Register** for public notice and comment regarding the regulation of some occupational safety and health conditions affecting cabin crewmembers on aircraft in operation by the Occupational Safety and Health Administration (OSHA). The FAA

received 196 comments. Comments fell into broad categories: Flight attendants, and their unions were generally in favor of the proposed policy statement; air carriers and their trade associations generally opposed the policy change, sought clarification of its extent, or expressed uncertainty over practical aspects such as compliance with certain portions of OSHA standards or how OSHA would enforce the standards. The policy statement is also available for review at *http://www.faa.gov/about/initiatives/ashp/,* as well as the docket for this action.

This document summarizes those comments and provides FAA and OSHA's responses.

A. Applicability of Policy Statement

Avjet Corporation (Avjet) commented that the policy statement does not adequately address what type of flight operations will be affected by this policy change. The FAA disagrees. The policy does not limit the applicability to a specific type of operation. This policy applies to the working conditions of aircraft cabin crewmembers while they are onboard aircraft in operation. This includes all aircraft operations that utilize at least one aircraft cabin crewmember.

Avjet and the National Air Transportation Association (NATA) commented that the policy statement does not address the definition of an aircraft cabin crewmember. The FAA agrees with this comment and has added the following clarification to the policy statement: For the purposes of this policy, an aircraft cabin crewmember means a person assigned to perform duty in an aircraft cabin when the aircraft is in operation (other than flightcrew members).

The International Brotherhood of Teamsters (IBT) questioned why OSHA standards should not apply to flight deck crew (e.g. flightcrew members). The Allied Pilots Association (APA) argued that, since Section 829 of the FAA Modernization and Reform Act of 2012 addresses ''crewmembers while in an aircraft'' without limitation, all crewmembers should receive the same protections. On the other hand, the Air Line Pilots Association International (ALPA) urged us—without involving OSHA—to address flight deck crew safety and health issues, such as fatigue, heat, chemical exposure, laser strikes, cosmic radiation, ozone exposure, contagious diseases, contamination of oxygen masks, and noise on the flight deck. However, the issue of flightcrew member safety and health issues are outside the scope of this policy change.

The National Business Aviation Association (NBAA), Avjet, and NATA also asked whether OSHA coverage would extend to flight deck crew when they perform cabin passenger safety functions. In response, flightcrew members are not aircraft cabin crewmembers. Therefore, this policy change does not apply to them.

NATA asked for clarification of how the policy would affect personnel who work in the aircraft cabin and are not flight attendants (specifically referring to cargo handlers, medical personnel, supernumeraries, and evacuation crewmembers). Any person assigned to perform duty in an aircraft cabin when the aircraft is in operation (other than flightcrew members) would be covered by this policy.

A few commenters asked whether the new policy will apply to part 135 air charter operations and part 91 corporate flight operators operating business jets, as well as to commercial aircraft operations. This policy applies to all aircraft operations that utilize at least one aircraft cabin crewmember.

B. General Opposition to the Policy

Aviation trade groups, including Airlines for America (A4A), the Regional Airline Association (RAA), the National Air Carrier Association (NACA), NATA, and NBAA opposed the draft policy statement. They believed that the draft FAA policy statement should be subject to notice-and-comment rulemaking because it calls for a significant, substantive change in the regulatory regime affecting air carriers. The FAA disagrees and is not promulgating new regulations. However, because this has been a long-standing policy, FAA published the draft policy statement for public notice and comment.

Aviation trade groups asserted that the congressional directive was not met in the draft policy statement and asserted that the legislation does not demand the regulatory action proposed in the draft policy statement. The FAA disagrees with this assertion. The congressional directive was met by initiating development of a policy statement that sets forth the circumstances in which requirements of OSHA may be applied to crewmembers while working in an aircraft cabin and by publishing the draft policy statement for public notice and comment. The FAA is not proposing a regulatory action.

Aviation trade groups also asserted that an alternative approach should be used because of important, unresolved, and outstanding issues, concerning such an assumption of regulatory authority. The FAA also disagrees with this assertion. OSHA regulations and standards are in place now in aviation work environments other than the aircraft cabin. Applying the proposed OSHA regulations and standards to the aircraft cabin will have minimal implementation impact and will not compromise aviation safety.

Aviation trade groups further believed that a voluntary, data-based system or a Safety Management System (SMS)-based approach should be implemented instead. US Airways, Inc., did not oppose the application of the specific OSHA requirements expressly identified in the draft policy statement, but suggested that the goals reflected in the draft policy statement could also be achieved through reliance instead on the presence of robust, SMS-based airline voluntary safety programs. They also encouraged the expansion of the current OSHA industry alliance effort to include appropriate participation from flight attendant unions. The FAA disagrees. Voluntary programs are valuable for some initiatives. In this case, standardized application of OSHA standards throughout the aviation industry is good public policy.

Southwest Airlines opposed the draft policy statement and agreed with all of Airlines for America's comments, adding that OSHA enforcement authority should be specifically limited to only those standards expressly defined in the final policy and Memorandum of Understanding (MOU). The FAA agrees with the proposed recommendation. OSHA remains preempted from enforcing its standards on aircraft in operation, other than the standards specifically addressed in the new FAA policy statement.

Southwest Airlines also requested a statement within the MOU, specifically stating that the general duty clause shall not be applied to the cabin environment. The FAA will add such language in the new MOU. In addition, as noted above, the new policy only includes the three listed standards. If the agencies later decide to add any additional hazards, including any hazards covered by the General Duty Clause, they will use a transparent process including notice and comment to adopt such changes.

Southwest Airlines further requested that FAA/OSHA provide clarification regarding enforcement onboard the aircraft. The FAA agrees with the proposed recommendation. Specific procedures for addressing OSHA enforcement protocols can be developed through interagency collaboration.

ALPA agreed with the Airlines for America comments, adding that it has

concern regarding the requirement for coordination between the FAA and OSHA. ALPA urged that appropriate procedures be established before OSHA involvement to assure smooth operations. The FAA acknowledges the requirement for coordination between the agencies. The FAA and OSHA have a procedure for resolving jurisdictional issues, and additional procedures can be developed through the new MOU.

ALPA also wanted FAA to regulate pilots' safety and a host of health issues, such as: Fatigue, heat and humidity of the work environment, contamination by rain repellant and other chemicals, laser strikes, cosmic radiation, ozone, aircraft disinsection, contagious disease, contamination of cockpit oxygen masks, smoke-protection masks in the cockpit, and ambient flight deck noise. The regulation of pilots' safety and health issues are beyond the scope of this policy statement.

In addition, ALPA requested that the FAA establish an office or focal point to adequately address the safety and health of flightcrew members. The FAA acknowledges this request but does not believe that a new office is required at this time.

C. State and International Jurisdiction

NBAA stated that aviation is an industry designed to cross state and national boundaries. As applied to aviation, the proposed notice would have created a host of uncertainties regarding the application of either State or national OSHA standards. NATA was also concerned that the shared jurisdiction policy described by the FAA is ripe for confusion and contradiction among FAA, OSHA, and OSHA-approved State programs. Essentially, NATA was concerned that the draft policy explains only that OSHA is also able to initiate a process to ensure that airlines will not be subject to multiple, different sets of rules as they fly into and out of different states. The FAA agrees with these comments. OSHA has assured the FAA that it has already consulted with their State Plan Partners, and they have agreed that Federal OSHA will cover these working conditions in State Plan States. The FAA will continue to work with OSHA to develop that process.

NATA raised a second jurisdictional issue relating to how any applicable OSHA standards might apply to international flight operations. OSHA jurisdiction is limited to the boundaries of the United States and its territories and possessions). Therefore, the proposed OSHA standards would not be applicable on U. S. aircraft operations conducted outside the United States.

D. General Support of the Policy

The Transportation Trades Department, the Association of Flight Attendants, the Association of Machinists and Aerospace Workers (IAM), the International Brotherhood of Teamsters (IBT) and the Transport Workers Union of America generally support the new policy statement. The IAM added that flight attendants have not been required to wear protective gloves, and stated that some airlines have prohibited Flight Attendants from wearing gloves. IAM also stated that other hazards of great concern that should be regulated include, hazards related to lifting and moving luggage, exposure to extremes of heat and cold as a result of cabin temperature, hazards related to opening and closing aircraft doors. IAM also stated that cabin air quality is also an essential issue to flight attendant occupational health as flight attendants have no choice, but to breathe recirculated, pressurized air while at work. IAM further stated that in-flight coffee maker hazards should be addressed. The FAA acknowledges these recommendations. The FAA will consider when FAA and OSHA establish procedures to identify any additional working conditions where OSHA requirements may apply.

IAM stated that more extensive sanitation standards could be applied to enhance the working conditions of flight attendants without compromising aviation safety. The IBT supported incorporation of the OSHA sanitation standard into the policy memo and forthcoming MOU. The FAA disagrees. Existing FAA regulations address sanitation standards, so OSHA sanitation standards are not being considered.

The IBT also urged the FAA to reconsider OSHA's role in worksite inspections pertaining to the applicable OSHA standards mentioned in the policy memo and forthcoming MOU. The FAA and OSHA will explore the feasibility of developing interagency procedures to address and coordinate workplace inspections if and when they may be required.

The IBT further urged the FAA to stress the importance of properly reporting safety and health issues and encourage employers to utilize the OSHA 300/300A injury and illness reports as a means of identifying and targeting areas of concern. The IBT also stressed the importance of education of both employers and employees on the protections afforded by the OSHA Anti-Discrimination Act found in 29 CFR part 1977 (i.e., Whistleblower Act 11(c)). The IBT stated that including proper signage aboard aircraft will not implicate a concern for aviation safety. In response, the FAA will consider these comments when establishing interagency procedures.

The IBT finally urged FAA and OSHA to reconsider inclusion of flight deck crewmembers in the discussion on the application of OSHA's requirements to employees on aircraft in operation. The FAA is not considering including flightcrew members in this policy statement.

Individual flight attendants support the draft policy statement and commented on the need for additional regulation of exposure to noise, bloodborne pathogens, chemicals, pesticides, and de-icing fluids; sanitation; duty/rest requirements; exposure to radiation; cabin air quality issues; food/beverage carts; and ergonomics. OSHA's noise, bloodborne pathogens, and hazard communication standards are included in the policy statement. Existing FAA regulations address sanitation standards, so OSHA sanitation standards are not being considered. Duty and rest requirements are aviation safety requirements regulated by the FAA. Effects of cosmic, galactic and solar ionizing radiation exposure, cabin air quality, food and beverage cart and ergonomic issues are not being considered at this time.

Individual comments believe that pilots should be included. However, the FAA is not considering including flightcrew members at this time.

The National Institute for Occupational Safety and Health supported the draft policy but believes more research is needed. The FAA will consider this recommendation if further research is needed on any additional or future regulations.

E. Hazards Addressed

The selection of the three OSHA standards to apply in aircraft cabins—hazard communications, bloodborne pathogens and noise—was also questioned. The RAA asserted that the FAA did not identify the most critical occupational safety and health concerns and then only transfer oversight if such concerns could best be solved, regulated and monitored by OSHA. A4A claimed there are no specific or immediate safety concerns that require urgent action, asserting that the proposed policy resulted from political action and not an underlying safety issue that was identified by the FAA.

Some commenters also questioned the need to apply these standards to aircraft cabins and expressed uncertainty about whether additional OSHA requirements would apply, as well. For example,

Southwest, A4A, and the NBAA are concerned that other OSHA standards, regulations, or the OSH Act's general duty clause, 29 U.S.C. 654 (a)(1), could apply and requested clarification.

In contrast, other commenters argued that OSHA should have authority to protect crewmembers from additional hazards. For example, the IBT commented that OSHA should enforce its general duty clause to protect employees from cosmic radiation, contaminated bleed air ventilation systems, heat stress, ergonomic hazards, hazardous agents, pinch points, and slip and fall hazards.

There were also comments from the National Institute for Occupational Safety and Health that cited several studies it conducted for FAA on reproductive issues for flight attendants, cosmic radiation, circadian rhythm disruption, cabin air quality, and infectious diseases.

The Aerospace Medical Association (AsMA) said it assumed that new regulations will be drafted to comply with the aircraft environment and that those should include aerospace medicine assessment and opinion. The new FAA policy statement only applies to OSHA standards for noise, bloodborne pathogens, and hazard communication. These standards were selected because they were identified in the agencies' 2000 MOU. The agencies examined the potential application of these three standards to aircraft cabin crewmembers in detail in the year 2000. The joint FAA/OSHA Occupational Safety and Health Team determined that application of these OSHA standards to aircraft cabin crewmembers should not compromise aviation safety. These standards also address the hazards of greatest concern to aircraft cabin crewmembers.

F. Procedural Issues

A number of commenters suggested that a full rulemaking process should be utilized before applying any OSHA standards to cabin crewmembers. According to NATA, for example, the change creates new compliance obligations because OSHA promulgated rules after the FAA's 1975 Policy Statement with the understanding that those rules would not apply to aircraft cabins. NATA also claimed that OSHA and FAA need to engage in a cost-benefit analysis, a regulatory flexibility determination, and a small business impact assessment.

A few other commenters also asserted that the agencies had not adequately considered the effect of the policy change on small and medium-sized businesses, citing the Regulatory Flexibility Act and Executive Order 12866. Avjet, for example, noted that part 121 airlines have resources to implement the changes while these changes will be extremely onerous to small-business part 135 air charter operators of business jets. And according to NATA, operators will have to test interior noise levels of every aircraft in its fleet since some identical aircraft types may exhibit different cabin noise levels. NATA also asserted that operators who are not required to have a flight attendant onboard but elect to place a cabin attendant in the aircraft for added service and safety, may no longer employ these workers. NATA urged for rulemaking to determine how OSHA rules can be adapted for environments not previously considered.

We do not agree with these comments. In any event, we have provided the public and regulated community with notice and an opportunity to be heard on this policy change and plan to continue to do so should any further policy changes be considered. We have also met with most groups affected by this policy. After years of consideration of the application of these OSHA standards, FAA has decided that these standards should not compromise aviation safety. FAA and OSHA agree with the suggestions of some commenters that, to ease implementation of the policy, OSHA has expanded its existing industry alliances to develop training and job-aids for the safety of aircraft cabin crewmembers, as well as aviation personnel and vendors in ground-support activities, such as fueling, catering and cargo/baggage handling.

G. Practical Implementation

Several comments expressed concerns about how the policy change would be implemented in practice. For example, AsMA suggested that OSHA and FAA form a coordination group to review the operation of regulations and oversee responsibility.

ALPA also expressed concern about coordination between the two agencies. It favors an FAA preemption of OSHA requirements if those requirements interfere with aviation safety.

NATA questioned how the FAA and OSHA will determine which OSHA standards have safety implications and whether these determinations will include industry representatives. NATA asserted that the FAA should apply OSHA standards onboard rather than having OSHA consult with FAA on aviation safety implications.

Others questioned how OSHA will inspect aircraft in operation to ensure compliance and how it will respond to complaints. Southwest and RAA asked how OSHA would investigate complaints, so as not to interfere with flight duties and delay flight operations, consequences which could have a substantial economic impact on carriers. Southwest also asked about coordination among FAA, OSHA, and the Transportation Security Administration to provide access to secure areas, and what resources would be required of the carriers (e.g., escorts/seating).

Although some commenters (IBT, IAM, and APA) recommended that OSHA conduct worksite inspections just as FAA inspectors do, others (e.g., NATA and RAA) are concerned that OSHA is not precluded from conducting inspections of aircraft in operation. APA stated that the FAA should require manufacturers and operators to sample the environment on aircraft for known hazards. As stated in the draft and final policy statements, the FAA and OSHA do not anticipate that OSHA will have to conduct inspections onboard aircraft to ensure compliance with the three OSHA standards. All three standards require employers to develop and implement their own programs. OSHA can examine the programs and verify compliance without being onboard aircraft. If there is a specific instance in the future where it is determined that compliance with one of the standards will have an adverse effect on aviation safety, both agencies understand that FAA will take precedence.

Issued in Washington, DC, on August 21, 2013.

John S. Duncan,

Acting Director, Flight Standards Service.

[FR Doc. 2013–20841 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 284

[Docket No. RM12–17–000; Order No. 781]

Revisions to Procedural Regulations Governing Transportation by Intrastate Pipelines; Correction

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the final rule (RM12–17–000) which was published in the **Federal Register** on Tuesday, July 30,

2013 (78 FR 45850). The regulations amends its regulations to provide optional notice procedures for processing rate filings by those natural gas pipelines that fall under the Commission's jurisdiction pursuant to the Natural Gas Policy Act of 1978 or the Natural Gas Act. The rule results in regulatory certainty and a reduction of regulatory burdens.

DATES: Effective September 30, 2013.

FOR FURTHER INFORMATION CONTACT:

David Tishman (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–8515, *David.Tishman@ferc.gov*.

James Sarikas (Technical Information), Office of Energy Market Regulation, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–6831, *James.Sarikas@ferc.gov*.

SUPPLEMENTARY INFORMATION:

Need for Correction

On July 18, 2013, the Commission issued a ''Final Rule, Order No. 781'' in the above-captioned proceeding. *Revisions to Procedural Regulations Governing Transportation by Intrastate Pipelines,* 144 FERC ¶ 61,034 (2013).

This document serves to correct the table in Paragraph 82. Specifically, the last figure in the ''total Annual Burden Hours'' column is changed from ''854'' to ''852''.

Accordingly, in rule FR Doc. No. 2013–17822 published in the July 30, 2013 (78 FR 45850), on page 45861, in the table in paragraph 82, the entry in the ''Total annual burden hours (a × b)'' column for the entry ''FERC–549 Total,'' the figure ''854'' is corrected to read ''852''.

Dated: August 21, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–20865 Filed 8–26–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 510, 520, 524, 556, and 558

[Docket No. FDA–2013–N–0002]

New Animal Drugs; Carprofen; Enrofloxacin; Florfenicol; Tildipirosin; Zilpaterol

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval actions for new animal drug applications (NADAs) and abbreviated new animal drug applications (ANADAs) during June 2013. FDA is also informing the public of the availability of summaries of the basis of approval and of environmental review documents, where applicable.

DATES: This rule is effective August 27, 2013.

FOR FURTHER INFORMATION CONTACT:

George K. Haibel, Center for Veterinary Medicine (HFV–6), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240–276–9019, *george.haibel@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: FDA is amending the animal drug regulations to reflect approval actions for NADAs and ANADAs during June 2013, as listed in table 1. In addition, FDA is informing the public of the availability, where applicable, of documentation of environmental review required under the National Environmental Policy Act (NEPA) and, for actions requiring review of safety or effectiveness data, summaries of the basis of approval (Freedom of Information Summaries) under the Freedom of Information Act (FOIA). These public documents may be seen in the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday. Persons with access to the Internet may obtain these documents at the Center for Veterinary Medicine FOIA Electronic Reading Room: *http://www.fda.gov/AboutFDA/CentersOffices/OfficeofFoods/CVM/CVMFOIAElectronicReadingRoom/default.htm.*

In addition, the animal drug regulations are being amended at 21 CFR 510.600 to correct a sponsor's name and at 21 CFR 556.733 to correct the acceptable daily intake of total residues of tildipirosin. This is being done to improve the accuracy of the regulations.

This rule does not meet the definition of ''rule'' in 5 U.S.C. 804(3)(A) because it is a rule of ''particular applicability.'' Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

TABLE 1—ORIGINAL AND SUPPLEMENTAL NADAS AND ANADAS APPROVED DURING JUNE 2013

NADA/ ANADA	Sponsor	New animal drug product name	Action	21 CFR section	FOIA summary	NEPA review
200–524	Putney, Inc., 400 Congress St., suite 200, Portland, ME 04101.	Mupirocin Ointment 2%	Original approval as a generic copy of NADA 140–839.	524.1465	yes	CE.[1]
200–517	Novartis Animal Health US, Inc., 3200 Northline Ave., suite 300, Greensboro, NC 27408.	ZOBUXA (enrofloxacin) Flavored Antibacterial Tablets.	Original approval as a generic copy of NADA 140–441.	520.812	yes	CE.[1]
200–519	Novartis Animal Health US, Inc., 3200 Northline Ave., suite 300, Greensboro, NC 27408.	FLORVIO (florfenicol) 2.3% Concentrate Solution.	Original approval as a generic copy of NADA 141–206.	520.995	yes	CE.[1]
200–547	Huvepharma AD, 5th Floor, 3A Nikolay Haytov Str., 1113 Sophia, Bulgaria.	ZILMAX (zilpaterol hydrochloride) plus RUMENSIN (monensin USP) plus TYLOVET 100 (tylosin phosphate) Type A medicated articles.	Original approval as a generic copy of NADA 141–276.	558.665	yes	CE.[1]

TABLE 1—ORIGINAL AND SUPPLEMENTAL NADAS AND ANADAS APPROVED DURING JUNE 2013—Continued

NADA/ ANADA	Sponsor	New animal drug product name	Action	21 CFR section	FOIA summary	NEPA review
200–555	Piedmont Animal Health, 204 Muirs Chapel Rd., suite 200, Greensboro, NC 27410.	LIBREVIA (carprofen) Soft Chewable Tablets.	Original approval as a generic copy of NADA 141–111.	520.309	yes	CE.[1]

[1] The Agency has determined under 21 CFR 25.33 that this action is categorically excluded (CE) from the requirement to submit an environmental assessment or an environmental impact statement because it is of a type that does not individually or cumulatively have a significant effect on the human environment.

List of Subjects

21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

21 CFR Parts 520 and 524

Animal drugs.

21 CFR Part 556

Animal drugs, Foods.

21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR parts 510, 520, 524, 556, and 558 are amended as follows:

PART 510—NEW ANIMAL DRUGS

■ 1. The authority citation for 21 CFR part 510 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

■ 2. In § 510.600, in the table in paragraph (c)(1), remove the entry for ''Purina Nutrition LLC'', and alphabetically add entries for ''Piedmont Animal Health'' and ''Purina Animal Nutrition LLC''; and in the table in paragraph (c)(2), in the entry for ''017800'', remove ''Purina Nutrition'' and in its place add ''Purina Animal Nutrition'', and numerically add an entry for ''058147'' to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

* * * * *

(c) * * *

(1) * * *

Firm name and address	Drug labeler code
* * * * * * *	
Piedmont Animal Health, 204 Muirs Chapel Rd., suite 200, Greensboro, NC 27410	058147
* * * * * * *	
Purina Animal Nutrition LLC, 1080 County Road F West, Shoreview, MN 55126–2910	017800
* * * * * * *	

(2) * * *

Drug labeler code	Firm name and address
* * * * * * *	
058147	Piedmont Animal Health, 204 Muirs Chapel Rd., suite 200, Greensboro, NC 27410
* * * * * * *	

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

■ 3. The authority citation for 21 CFR part 520 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 520.309 [Amended]

■ 4. In paragraph (b)(2) of § 520.309, remove ''Nos. 000115, 055529, and 062250'' and in its place add ''Nos. 000115, 055529, 058147, and 062250''.

■ 5. In § 520.812, revise paragraphs (a) and (b) to read as follows:

§ 520.812 Enrofloxacin.

(a) *Specifications.* Each tablet contains:

(1) 22.7, 68.0, or 136.0 milligrams (mg) enrofloxacin; or

(2) 22.7, 68.0, 136.0, or 272 mg enrofloxacin.

(b) *Sponsors.* See sponsor numbers in § 510.600(c) of this chapter for use as in paragraph (c) of this section.

(1) Nos. 000859 and 026637 for use of product described in paragraph (a)(1) of this section.

(2) No. 058198 for use of product described in paragraph (a)(2) of this section.

* * * * *

§ 520.955 [Amended]

■ 6. In paragraph (b) of § 520.955, remove ''No. 000061'' and in its place add ''Nos. 000061 and 058198''.

PART 524—OPHTHALMIC AND TOPICAL DOSAGE FORM NEW ANIMAL DRUGS

■ 7. The authority citation for 21 CFR part 524 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 524.1465 [Amended]

■ 8. In paragraph (b) of § 524.1465, add ''026637,'' after ''025463,''.

PART 556—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

■ 9. The authority citation for 21 CFR part 556 continues to read as follows:

Authority: 21 U.S.C. 342, 360b, 371.

§ 556.733 [Amended]

■ 10. In paragraph (a) of § 556.733, remove ''10 micrograms'' and in its place add ''50 micrograms''.

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

■ 11. The authority citation for 21 CFR part 558 continues to read as follows:

Authority: 21 U.S.C. 360b, 371.

■ 12. In § 558.665, in the table, revise paragraph (e)(5) to read as follows:

§ 558.665 Zilpaterol.

* * * * *

(e) * * *

Zilpaterol in grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
*	*	*	*	*
(5) 6.8 to provide 60 to 90 mg/head/day.	Monensin 10 to 40, plus tylosin 8 to 10.	Cattle fed in confinement for slaughter: As in paragraph (e)(1) of this section; for prevention and control of coccidiosis due to *Eimeria bovis* and *E. zuernii;* and for reduction of incidence of liver abscesses caused by *Fusobacterium necrophorum* and *Arcanobacterum (Actinomyces) pyogenes*.	As in paragraph (e)(1) of this section; see §§ 558.355(d) and 558.625(c) of this chapter. Monensin as provided by No. 000986; tylosin as provided by Nos. 000986 or 016592 in § 510.600(c) of this chapter.	000061 016592
*	*	*	*	*

Dated: August 19, 2013.

Bernadette Dunham,

Director, Center for Veterinary Medicine.

[FR Doc. 2013–20538 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9630]

RIN 1545–BK71

Use of Differential Income Stream as an Application of the Income Method and as a Consideration in Assessing the Best Method

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations and removal of temporary regulations.

SUMMARY: This document contains final regulations that implement the use of the differential income stream as a consideration in assessing the best method in connection with a cost sharing arrangement and as a specified application of the income method.

DATES: *Effective Date:* These regulations are effective on August 27, 2013.

Applicability Dates: For dates of applicability, see § 1.482–7(l).

FOR FURTHER INFORMATION CONTACT: Mumal R. Hemrajani, (202) 622–3800 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

Final cost sharing regulations were published in the **Federal Register** (76 FR 80082) (REG–144615–02) (TD 9568) on December 22, 2011 (''final cost sharing regulations''). Corrections to the final cost sharing regulations were published in the **Federal Register** (77 FR 3606, 77 FR 8143, and 77 FR 8144) on January 25, 2012, and February 14, 2012. Certain guidance regarding application of the differential income stream approach was reserved in the final cost sharing regulations because the Treasury Department and the IRS believed it was appropriate to solicit public comments on that subject matter.

Temporary cost sharing regulations and a notice of proposed rule making on application of the differential income stream approach were published in the **Federal Register** (76 FR 80249 and 76 FR 80309) (REG–145474–11) (TD 9569) on December 23, 2011 (''temporary and proposed regulations''). Comments were submitted, which we address in this Preamble. No request for a public hearing was received. The Treasury Department and the IRS are finalizing the proposed regulations without change.

Explanation of Provisions

The Treasury Department and the IRS were aware that some taxpayers were taking unreasonable positions in applying the income method by using relatively low licensing discount rates, and relatively high cost sharing discount rates, without sufficiently considering the appropriate interrelationship of the discount rates and financial projections. This practice gave rise to material distortions and the potential for PCT Payments not in accordance with the arm's length standard. To address these problems, the temporary and proposed regulations provided additional guidance on evaluating the results of an application of the income method (§ 1.482–7T(g)(2)(v)(B)(*2*) (Implied discount rates) and (g)(4)(vi)(F)(*2*) (Use of differential income stream as a consideration in assessing the best method)), and

provided a new specified application of the income method for directly determining the arm's length charge for PCT Payments (§ 1.482–7(g)(4)(v) (Application of income method using differential income stream)).

Comments noted that § 1.482–7T(g)(4)(vi)(F)(*2*) explicitly provides that the implied discount rate may be used to evaluate the reliability of the corresponding actual discount rates associated with the licensing and cost sharing alternatives, but no similar explicit provision is contained in § 1.482–7(g)(4)(v) regarding the use of actual discount rates to evaluate the reliability of the corresponding implied discount rate. Thus, the comments suggested that such an explicit provision be adopted. The Treasury Department and the IRS agree that, depending on facts and circumstances, separately derived discount rates pursuant to a general application of the income method may yield a more reliable measure of an arm's length result than a proffered discount rate pursuant to a differential income stream application of the income method in a particular case. In such a case, however, the best method rule already would require a determination of PCT Payments under the method, and the application of such method, that, under the facts and circumstances, provides the most reliable measure of an arm's length result. See, for example, §§ 1.482–1(c)(1) and 1.482–7(g)(4)(vi)(A). Accordingly, the suggested change was not adopted.

Special Analyses

It has been determined that this Treasury decision is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. It has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to this regulation, and because the regulation does not impose a collection of information on small entities, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Pursuant to section 7805(f) of the Internal Revenue Code, these regulations have been submitted to the Chief Counsel for Advocacy of the Small Business Administration (CCASBA) for comment on their impact on small business. CCASBA had no comments.

Drafting Information

The principal author of these regulations is Mumal R. Hemrajani, Office of the Associate Chief Counsel (International). However, other personnel from the Internal Revenue Service and the Treasury Department participated in the development of the regulations.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Amendments to the Regulations

Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

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

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

■ **Par. 2.** Section 1.482–7 is amended by revising paragraph (g)(2)(v)(B)(*2*), adding paragraph (g)(4)(v), revising paragraphs (g)(4)(vi)(F)(*2*), (g)(4)(viii) *Example 8,* adding *Example 9,* and revising paragraph (l).

§ 1.482–7 Methods to determine taxable income in connection with a cost sharing arrangement.

* * * * *

(g) * * *

(2) * * *

(v) * * *

(B) * * *

(*2*) *Implied discount rates.* In some circumstances, the particular discount rate or rates used for certain activities or transactions logically imply that certain other activities will have a particular discount rate or set of rates (implied discount rates). To the extent that an implied discount rate is inappropriate in light of the facts and circumstances, which may include reliable direct evidence of the appropriate discount rate applicable for such other activities, the reliability of any method is reduced where such method is based on the discount rates from which such an inappropriate implied discount rate is derived. See paragraphs (g)(4)(vi)(F)(*2*) and (g)(4)(viii), *Example 8* of this section.

* * * * *

(4) * * *

(v) *Application of income method using differential income stream.* In some cases, the present value of an arm's length PCT Payment may be determined as the present value, discounted at the appropriate rate, of the PCT Payor's reasonably anticipated stream of additional positive or negative income over the duration of the CSA Activity that would result (before PCT Payments) from undertaking the cost sharing alternative rather than the licensing alternative (differential income stream). See *Example 9* of paragraph (g)(4)(viii) of this section.

* * * * *

(vi) * * *

(F) * * *

(*2*) *Use of differential income stream as a consideration in assessing the best method.* An analysis under the income method that uses a different discount rate for the cost sharing alternative than for the licensing alternative will be more reliable the greater the extent to which the implied discount rate for the projected present value of the differential income stream is consistent with reliable direct evidence of the appropriate discount rate applicable for activities reasonably anticipated to generate an income stream with a similar risk profile to the differential income stream. Such differential income stream is defined as the stream of the reasonably anticipated residuals of the PCT Payor's licensing payments to be made under the licensing alternative, minus the PCT Payor's cost contributions to be made under the cost sharing alternative. See, for example, *Example 8* of this paragraph (g)(4)(viii).

* * * * *

(viii) * * *

Example 8. (i) The facts are the same as in *Example 1,* except that the taxpayer determines that the appropriate discount rate for the cost sharing alternative is 20%. In addition, the taxpayer determines that the appropriate discount rate for the licensing alternative is 10%. Accordingly, the taxpayer determines that the appropriate present value of the PCT Payment is $146 million.

(ii) Based on the best method analysis described in *Example 2,* the Commissioner determines that the taxpayer's calculation of the present value of the PCT Payments is outside of the interquartile range (as shown in the sixth column of *Example 2*), and thus warrants an adjustment. Furthermore, in evaluating the taxpayer's analysis, the Commissioner undertakes an analysis based on the difference in the financial projections between the cost sharing and licensing alternatives (as shown in column 11 of *Example 1*). This column shows the anticipated differential income stream of additional positive or negative income for FS over the duration of the CSA Activity that would result from undertaking the cost sharing alternative (before any PCT Payments) rather than the licensing alternative. This anticipated differential income stream thus reflects the anticipated incremental undiscounted profits to FS from the incremental activity of undertaking the risk of developing the cost shared intangibles and enjoying the value of its divisional interests. Taxpayer's analysis logically implies that the present value of this stream must be $146 million, since only then would FS have the same anticipated value in both the cost sharing and licensing alternatives. A present value of $146 million implies that the discount rate applicable to this stream is

34.4%. Based on a reliable calculation of discount rates applicable to the anticipated income streams of uncontrolled companies whose resources, capabilities, and rights consist primarily of software applications intangibles and research and development teams similar to USP's platform contributions to the CSA, and which income streams, accordingly, may be reasonably anticipated to reflect a similar risk profile to the differential income stream, the Commissioner concludes that an appropriate discount rate for the anticipated income stream associated with USP's platform contributions (that is, the additional positive or negative income over the duration of the CSA Activity that would result, before PCT Payments, from switching from the licensing alternative to the cost sharing alternative) is 16%, which is significantly less than 34.4%. This conclusion further suggests that Taxpayer's analysis is unreliable. See paragraphs (g)(2)(v)(B)(*2*) and (g)(4)(vi)(F)(*1*) and (*2*) of this section.

(iii) The Commissioner makes an adjustment of $296 million, so that the present value of the PCT Payments is $442 million (the median results as shown in column 6 of *Example 2*).

Example 9. The facts are the same as in *Example 1,* except that additional data on discount rates are available that were not available in *Example 1.* The Commissioner determines the arm's length charge for the PCT Payment by discounting at an appropriate rate the differential income stream associated with the rights contributed by USP in the PCT (that is, the stream of income in column (11) of *Example 1*). Based on an analysis of a set of public companies whose resources, capabilities, and rights consist primarily of resources, capabilities, and rights similar to those contributed by USP in the PCT, the Commissioner determines that 15% to 17% is an appropriate range of discount rates to use to assess the value of the differential income stream associated with the rights contributed by USP in the PCT. The Commissioner determines that applying a discount rate of 17% to the differential income stream associated with the rights contributed by USP in the PCT yields a present value of $446 million, while applying a discount rate of 15% to the differential income stream associated with the rights contributed by USP in the PCT yields a present value of $510 million. Because the taxpayer's result, $464 million, is within the interquartile range determined by the Commissioner, no adjustments are warranted. See paragraphs (g)(2)(v)(B)(*2*), (g)(4)(v), and (g)(4)(vi)(F)(*1*) of this section.

* * * * *

(l) *Effective/applicability dates.* Except as otherwise provided in this paragraph (l), this section applies on December 16, 2011. Paragraphs (g)(2)(v)(B)(*2*), (g)(4)(vi)(F)(*2*), and (g)(4)(viii), *Example 8* of this section apply to taxable years beginning on or after December 19, 2011. Paragraphs (g)(4)(v) and (g)(4)(viii), *Example 9* apply to taxable years beginning on or after August 27, 2013.

* * * * *

§ 1.482–7T [Removed]

■ **Par. 3.** Section 1.482–7T is removed.

Beth Tucker,

Deputy Commissioner for Operations Support.

Approved: August 15, 2013.

Mark J. Mazur,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2013–20786 Filed 8–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[TD 9631]

RIN 1545–BL66

Disclosures of Return Information Reflected on Returns to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations and removal of temporary regulations.

SUMMARY: This document contains final regulations that authorize the disclosure of certain items of return information to the Bureau of the Census (Bureau) in conformance with section 6103(j)(1) of the Internal Revenue Code (Code). The final regulations are made pursuant to a request from the Secretary of Commerce. Because the return information will be disclosed to the Bureau in statistical format, specific taxpayers will not be identified, and, therefore, no taxpayers are affected by the disclosures authorized by this guidance.

DATES: *Effective Date:* These regulations are effective on August 27, 2013.

Applicability Date: For dates of applicability, see § 301.6103(j)(1)–1(e).

FOR FURTHER INFORMATION CONTACT: Melissa Avrutine, (202) 622–7950 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

This document contains amendments to 26 CFR part 301. Section 6103(j)(1)(A) authorizes the Secretary of Treasury to furnish, upon written request by the Secretary of Commerce, such return or return information as the Secretary of Treasury may prescribe by regulation to officers and employees of the Bureau for the purpose of, but only to the extent necessary in, the structuring of censuses and conducting related statistical activities authorized by law. Section 301.6103(j)(1)–1 of the existing regulations further defines such purposes by reference to 13 U.S.C. chapter 5 and provides an itemized description of the return information authorized to be disclosed for such purposes.

By letter dated July 24, 2009, the Secretary of Commerce requested that additional items of return information be disclosed to the Bureau for purposes of allowing the Bureau to study a developing trend of increased use of contract workers. Specifically, the Secretary of Commerce requested disclosure of the following additional items: (1) Total number of documents reported on Form 1096 transmitting Forms 1099–MISC and (2) total amount reported on Form 1096 transmitting Forms 1099–MISC.

Section 301.6103(j)(1)–1 of the regulations formerly permitted disclosure of the total number of documents reported on Form 1096 transmitting Forms 1099–MISC and the total amount reported on Form 1096 transmitting Forms 1099–MISC. At the request of the Secretary of Commerce, the Treasury Department removed these items from the list of items of return information authorized to be disclosed, as disclosure of this return information was no longer necessary (See TD 9372, 72 FR 73262 [Dec. 27, 2007]).

In 2009, the Secretary of Commerce determined that these items of return information were needed again to provide critical data about contract labor necessary to estimate total employment and payroll in the United States. The employment and compensation data compiled by the Bureau are important to analysts and policy makers in both the public and private sectors. Thus, the Secretary of Commerce asserted that good cause existed to amend § 301.6103(j)(1)–1 of the regulations to restore these items to the list of items of return information that may be disclosed to the Bureau. The Treasury Department and the IRS agree that amending existing regulations to permit disclosure of these items to the Bureau is appropriate to meet the analytical needs of the Bureau.

Explanation of Provisions

On August 26, 2010, the IRS and the Treasury Department published temporary regulations under § 6103(j)(1) and issued a notice of proposed rulemaking cross-referencing those temporary regulations. See TD 9500 (75

FR 52458), REG–137486–09 (75 FR 52486), and 26 CFR 301.6103(j)(1)–1T. No comments were received, and no public hearing was requested or held. These final regulations adopt the proposed rules with no substantive change.

Section 301.6103(j)(1)–1T authorizes disclosure of three items of return information. Upon publication, these final regulations remove § 301.6103(j)(1)–1T because all three items of return information listed in § 301.6103(j)(1)–1T will now be contained in § 301.6103(j)(1)–1. On December 31, 2007, temporary regulations were published authorizing one of the items of return information contained in § 301.6103(j)(1)–1T: The disclosure of categorical information on total qualified research expenses in three ranges (greater than zero, but less than $1 million; greater than or equal to $1 million, but less than $3 million; and greater than or equal to $3 million) (§ 301.6103(j)(1)(xxv)–1T). See TD 9500 (75 FR 52458). On August 26, 2010, those temporary regulations were finalized, but § 301.6103(j)(1)(xxv)–1T was inadvertently not removed. Accordingly, these final regulations remove those temporary regulations as well as the remaining two items of return information contained in § 301.6103(j)(1)–1T: total number of documents reported on Form 1096 transmitting Forms 1099–MISC and the total amount reported on Form 1096 transmitting Forms 1099–MISC (subsections xxix and xxx of section 6103(j)(1)–1T).

Special Analyses

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

Drafting Information

The principal author of these regulations is Melissa Avrutine, Office of the Associate Chief Counsel (Procedure & Administration).

List of Subjects in 26 CFR Part 301

Employment taxes, Estate taxes, Excise taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR part 301 is amended as follows:

PART 301—PROCEDURE AND ADMINISITRATION

■ **Paragraph 1.** The authority citation for part 301 continues to read in part as follows:

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

■ **Par. 2.** Section 301.6103(j)(1)–1 is amended by:

■ 1. Adding paragraphs (b)(3)(xxix) and (b)(3)(xxx).

■ 2. Revising paragraph (e),

The additions and revision read as follows:

§ 301.6103(j)(1)–1 Disclosure of return information reflected on returns to officers and employees of the Department of Commerce for certain statistical purposes and related activities.

* * * * *

(b) * * *

(3) * * *

(xxix) Total number of documents reported on Form 1096 transmitting Forms 1099–MISC.

(xxx) Total amount reported on Form 1096 transmitting Forms 1099–MISC.

* * * * *

(e) *Effective/applicability date.* Paragraphs (b)(3)(xxv), (b)(3)(xxix), and (b)(3)(xxx) of this section apply to disclosures to the Bureau of the Census made on or after August 27, 2013. For rules that apply to disclosures to the Bureau of the Census before that date, see 26 CFR 301.6103(j)(1)–1 (revised as of April 1, 2013).

§ 301.6103(j)(1)–1T [Removed]

■ **Par. 3.** Section 301.6103(j)(1)–1T is removed.

Heather C. Maloy,

Acting Deputy Commissioner for Services and Enforcement.

Approved: August 19, 2013.

Mark J. Mazur,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2013–21006 Filed 8–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 356

[Docket No. Fiscal-BPD–2013–0001]

Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and Bonds

Correction

In rule document C1–2013–18178 appearing on page 50335 in the issue of August 19, 2013, make the following correction:

Appendix B to Part 356 [Corrected]

■ 1. On page 50335, in the third column, amendatory instruction 9 should read as set forth below:

''9. On page 46443, in the second column, the tenth line above Table 4, ''T_{i-1} and T_1'' should read 'T_{i-1} and T_i.' ''

[FR Doc. C2–2013–18178 Filed 8–26–13; 8:45 am]

BILLING CODE 1505–01–D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2013–0446; FRL–9900–39-Region 7]

Approval and Promulgation of Implementation Plans; State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving revisions to the State Implementation Plan (SIP) for the state of Iowa. The purpose of these revisions is to update the Polk County Board of Health Rules and Regulations, Chapter V, Air Pollution. The revisions reflect updates to the Iowa statewide rules previously approved by EPA and will ensure consistency between the applicable local agency rules and Federally-approved rules.

DATES: This direct final rule will be effective October 28, 2013 without further notice, unless EPA receives adverse comment by September 26, 2013. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2013–0446, by one of the following methods:

1. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

2. *Email: jay.michael@epa.gov.*

3. *Mail or Hand Delivery:* Michael Jay, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219.

Instructions: Direct your comments to Docket ID No. EPA–R07–OAR–2013–0446. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov* or email information that you consider to be CBI or otherwise protected. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov*, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219. The Regional Office's official hours of business are Monday through Friday, 8:00 a.m. to 4:30 p.m. excluding legal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Michael Jay, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at (913) 551–7460, or by email at *jay.michael@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document ''we,'' ''us,'' or ''our'' refer to EPA. This section provides additional information by addressing the following questions:

I. What is being addressed in this document?
II. Have the requirements for approval of a SIP revision been met?
III. What action is EPA taking?

I. What is being addressed in this document?

The State of Iowa has requested EPA approval of revisions to the local agency's Rules and Regulations, Chapter V, ''Air Pollution,'' as a revision to the SIP. In order for the local program's ''Air Pollution'' rules to be incorporated into the Federally-enforceable SIP, on behalf of the local agency, the State must submit the formally adopted regulations and control strategies, which are consistent with the State and Federal requirements, to EPA for inclusion in the SIP. The regulation adoption process generally includes public notice, a public comment period and a public hearing, and formal adoption of the rule by the State authorized rulemaking body. In this case, that rulemaking body is the local agency. After the local agency formally adopts the rule, the local agency submits the rulemaking to the State, and then the State submits the rulemaking to EPA for consideration for formal action (inclusion of the rulemaking into the SIP). EPA must provide public notice and seek additional public comment regarding the proposed Federal action on the State's submission.

EPA received the request from the State to adopt revisions to the local air agency rules into the SIP on September 23, 2011. The revisions were adopted by the local agency on July 26, 2011, and became effective on August 3, 2011. EPA is approving the requested revisions to the Iowa SIP relating to the following:

- Article I. In General, Section 5–1. Purpose and Ambient Air Quality Standards;
- Article I. In General, Section 5–2. Definitions;
- Article III. Incinerator and Open Burning, Section 5–7. Open Burning Prohibited;
- Article X. Permits, Division I. Construction Permits, Section 5–33. Exemptions From Permit Requirements;
- Article X. Permits, Division I. Construction Permits, Section 5–35. Operating Permit Required.

EPA's action does not cover revisions to:

- Article VI. Emission of Air Contaminants From Industrial Process, Section 5–17. Excess Emissions;
- Article VI, Sections 5–16 (n), (o), and (p) which pertain to New Source Performance Standards (NSPS);
- Article VIII, which pertain to National Emission Standards Hazardous Air Pollutants (NESHAPS).

II. Have the requirements for approval of a SIP revision been met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V.

III. What action is EPA taking?

We are taking direct final action to approve the amendments to the Polk County Board of Health Rules and Regulations, Chapter V, ''Air Pollution.'' The local agency routinely revises its ''Air Pollution'' regulations to be consistent with the Federally-approved Iowa Administrative Code. The local agency's ''Air Pollution'' rules are consistent with State and Federal regulations and were revised as follows:

Article I, Section 5–1(b) was revised to cite the cross-reference to the approved State rules at (455B). Section 5–1(c) revised the amendment dates for each chapter of the Federally-approved State rules. Section 5–2 added the definitions for Greenhouse gases, Regulated NSR pollutant, Subject to regulation, and revised the definition of major stationary source.

Article III, Section 5–7, addresses open burning regulations and a section was added that states these rules do not apply to outdoor patio heaters burning natural gas, propane, or alcohol. This section further states that such heaters shall not be used for burning refuse, rubbish or garbage.

A revision was made to Article X, Division 1, Construction Permits, Section 5–33(6) that refers to incinerators and pyrolysis cleaning furnaces with a manufacturer's design capacity less than 25 pounds per hour. The sentence that refers to single family dwelling's compliance with Section 5–16 was removed. An addition to the pyrolysis cleaning furnace exemption added electric-use furnaces. Under this same article, bathroom vent emissions,

including toilet vent emissions was added to the list of exemptions.

Article X, Division 2, Operating Permits, Section 5–35, (b)(1) and (b)(2) added the phrase ''subject to regulation'' to differentiate from pollutants that are not regulated. Under this same article and section, a paragraph was added to address greenhouse gas emissions at a stationary source that emits or has the potential to emit less than 100,000 tons per year of carbon dioxide equivalent emissions. Under this same article, bathroom vent emissions, including toilet vent emissions was added to the list of exemptions.

We are publishing this rule without a prior proposed rule because we view this as a noncontroversial amendment and anticipate no adverse comment because the revisions are largely administrative and consistent with Federal regulations. However, in the ''Proposed Rules'' section of today's **Federal Register**, we are publishing a separate document that will serve as the proposed rule to approve the SIP revision if adverse comments are received on this direct final rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, see the **ADDRESSES** section of this document.

If EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule will not take effect. We will address all public comments in any subsequent final rule based on the proposed rule.

Statutory and Executive Order Reviews

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

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

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

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

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 28, 2013. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: August 1, 2013.

Mark Hague,

Acting Regional Administrator, Region 7.

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart Q—Iowa

■ 2. In 52.820 the table in paragraph (c) is amended by revising the entry for ''Chapter V'' under the heading ''Polk County'' to read as follows:

§ 52.820 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED IOWA REGULATIONS

Iowa citation	Title	State effective date	EPA approval date	Explanation
Iowa Department of Natural Resources Environmental Protection Commission [567]				
*	*	*	*	* * *
Polk County				
CHAPTER V	Polk County Board of Health Rules and Regulations Air Pollution Chapter V.	08/03/11	08/27/13 [insert **Federal Register** page number where the document begins].	Article I, Section 5–2, definition of "variance"; Article VI, Sections 5–16(n), (o) and (p); Article VIII;; Article IX, Sections 5–27(3) and (4); Article X, Section 5–28, subsections (a) through (c); Article XIII and Article XVI, Section 5–75 are not part of the SIP. Article VI, Section 5–17, adopted by Polk County on 7/26/2011, is not part of the SIP, and the previously approved version of Article VI, Section 5–17 remains part of the SIP.

* * * * *

[FR Doc. 2013–20750 Filed 8–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 372

[EPA–HQ–TRI–2011–0174; FRL–9835–5]

RIN 2025–AA30

Electronic Reporting of Toxics Release Inventory Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: In this final rule, EPA requires facilities to report non-trade-secret Toxics Release Inventory (TRI) forms to EPA using electronic software provided by the Agency. Electronic reporting of TRI forms provides numerous benefits, including making it easier for facilities to report accurate information, expediting form completion due to the pre-population of many form elements, decreasing the cost to EPA of processing forms, and providing TRI information more quickly to the public. The only exception to this electronic reporting requirement is for the few facilities that submit trade secret TRI information, which will continue to submit their trade secret reporting forms and substantiation forms in hard copy.

Under this rulemaking, EPA also requires facilities to submit electronically via the Internet (i.e., not on paper forms or CD–ROMs) any revisions or withdrawals of previously submitted TRI reporting forms. Additionally, EPA will no longer accept submissions, revisions, or withdrawals of TRI reporting forms submitted for reporting years prior to reporting year 1991. For trade secret submissions, EPA will still only accept revisions or withdrawals of previously submitted trade secret information on paper forms, though only for reporting years back to reporting year 1991.

DATES: This final rule is effective on January 21, 2014.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–HQ–TRI–2011–0174. 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, e.g., Confidential Business Information (CBI) or other information for which 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 OEI Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the EPA Docket Center is (202) 566–1752.

FOR FURTHER INFORMATION CONTACT: For general information on TRI, contact the Emergency Planning and Community Right-to-Know Hotline at (800) 424–9346 or (703) 412–9810, TDD (800) 553–7672, *http://www.epa.gov/epaoswer/hotline/*. For specific information on this rulemaking, contact David Turk, Toxics Release Inventory Program Division, Mailcode 2844T, OEI, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; Telephone: (202) 566–1527; Email: *turk.david@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background and General Information

A. Acronyms and Abbreviations Used in This Document

CBI—Confidential Business Information
CDX—Central Data Exchange
CFR—Code of Federal Regulations
CROMERR—Cross-Media Electronic Reporting Regulation
DPC—TRI Data Processing Center
EO—Executive Order
EPA—U.S. Environmental Protection Agency
EPCRA—Emergency Planning and Community Right-to-Know Act
FR—Federal Register
GPEA—Government Paperwork Elimination Act
ICR—Information Collection Request
NAICS—North American Industry Classification System
NTTAA—National Technology Transfer and Advancement Act of 1995
OEI—Office of Environmental Information (EPA)
OMB—Office of Management and Budget (Executive Office of the President)
PPA—Pollution Prevention Act
RY—Reporting Year
SIC—Standard Industrial Code
TDX—TRI Data Exchange
TRI—Toxics Release Inventory
TRI–MEweb—Toxics Release Inventory-Made Easy Internet-based Software Application
U.S.C.—United States Code

B. Does this action apply to me?

This final rule applies to facilities that submit annual reports under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) and section 6607 of the Pollution Prevention Act (PPA). To determine

whether your facility is affected by this action, you should carefully examine the applicability criteria in Part 372, Subpart B, of Title 40 of the Code of Federal Regulations. Potentially affected categories and entities may include, but are not limited to the following:

Category	Examples of potentially affected entities
Industry	Facilities included in the following NAICS manufacturing codes (corresponding to SIC codes 20 through 39): 311*, 312*, 313*, 314*, 315*, 316, 321, 322, 323*, 324, 325*, 326*, 327, 331, 332, 333, 334*, 335*, 336, 337*, 339*, 111998*, 211112*, 212324*, 212325*, 212393*, 212399*, 488390*, 511110, 511120, 511130, 511140*, 511191, 511199, 512220, 512230*, 519130*, 541712*, or 811490*. *Exceptions and/or limitations exist for these NAICS codes. Facilities included in the following NAICS codes (corresponding to SIC codes other than SIC codes 20 through 39): • 212111, 212112, 212113 (correspond to SIC 12, Coal Mining (except 1241)); • 212221, 212222, 212231, 212234, 212299 (correspond to SIC 10, Metal Mining (except 1011, 1081, and 1094)); • 221111, 221112, 221113, 221118, 221121, 221122, 221330 (Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce) (correspond to SIC 4911, 4931, and 4939, Electric Utilities); • 424690, 425110, 425120 (Limited to facilities previously classified in SIC 5169, Chemicals and Allied Products, Not Elsewhere Classified); • 424710 (corresponds to SIC 5171, Petroleum Bulk Terminals and Plants); • 562112 (Limited to facilities primarily engaged in solvent recovery services on a contract or fee basis (previously classified under SIC 7389, Business Services, NEC)); and • 562211, 562212, 562213, 562219, 562920 (Limited to facilities regulated under the Resource Conservation and Recovery Act, Subtitle C, 42 U.S.C. 6921 et seq.) (correspond to SIC 4953, Refuse Systems).
Federal Government	Federal facilities.

If you have questions regarding the applicability of this action to a particular entity, consult the individual listed in the preceding **FOR FURTHER INFORMATION CONTACT** section. This action may also be of interest to those who use EPA's TRI data and have an interest in the public availability of high-quality, timely TRI data and information, including state agencies, local governments, communities, environmental groups and other non-governmental organizations, as well as members of the general public.

II. What is EPA's statutory authority for taking this action?

The EPA is implementing this action under sections 313(g), 313(h), and 328 of EPCRA, 42 U.S.C. 11023(g), 11023(h) and 11048, and section 6607 of the Pollution Prevention Act, 42 U.S.C. 13106.

Under EPCRA, Congress granted EPA broad rulemaking authority. EPCRA section 328 provides that the ''Administrator may prescribe such regulations as may be necessary to carry out this chapter.'' 42 U.S.C. 11048. EPCRA requires EPA to ''publish a uniform toxic chemical release form for facilities covered'' by the TRI Program. 42 U.S.C. 11023(g).

The Government Paperwork Elimination Act (GPEA) (Pub. L. 105–277 (44 U.S.C. 3504)) allows Federal agencies to provide for electronic submissions and the use of electronic signatures, when practicable. Similarly, EPA's Cross-Media Electronic Reporting Regulation (CROMERR) (40 CFR part 3), published in the **Federal Register** on October 13, 2005, states that any requirement in Title 40 of the CFR to submit a report directly to EPA can be satisfied with an electronic submission that meets certain conditions, once the Agency publishes a notice that electronic document submission is available for that requirement.

III. Background Information and Summary of Final Rule

A. Description of Change

EPA is requiring facilities to submit non-trade-secret TRI reporting forms to EPA electronically via the Internet. EPA will no longer accept paper submissions of TRI reports, except for trade secret submissions as defined under EPCRA section 322 (42 U.S.C. 11042) which will still be submitted on paper forms (including sanitized and unsanitized versions).

EPA currently provides an online-reporting application, TRI–MEweb, for facilities to use to submit TRI reporting forms electronically. TRI-MEweb provides a number of features that allow facilities to prepare and submit their TRI reports to EPA more efficiently. For example, it includes data validation tools that help facilities submit complete and valid data and compare current reporting year data to prior reporting year data—a feature which can sometimes help facilities identify potential data errors. Additionally, TRI–MEweb will pre-populate forms based on the prior year's reporting data, which will expedite the data preparation process and help reduce errors.

Under this rule, only TRI facilities that submit trade secret information will continue to submit two versions of the substantiation form and two versions of Form R or Form A—sanitized versions that include the generic chemical name that is structurally descriptive of the chemical being claimed as a trade secret and unsanitized versions that include the trade secret chemical name. EPA strongly recommends that TRI facilities that submit TRI trade secret information use a computer or typewriter to prepare their hard-copy submissions of TRI information and consult the TRI Web site (*http://www.epa.gov/tri*) for more detailed information.

Facilities often send additional, unsolicited documentation concerning their TRI reporting to EPA. Though EPA does not currently request that facilities submit TRI-related, miscellaneous documents, some documents contain useful information on current or future non-reporting (e.g., due to not reaching reporting thresholds and facility closures), internal self-audits, notices of bankruptcy, and changes in facility ownership. Such miscellaneous documents help the EPA maintain the quality of TRI data. Miscellaneous documents that do not directly address TRI non-reporting or provide contextual information on TRI reporting are typically not useful to the Agency. The EPA requests that facilities refrain from submitting unsolicited documents that do not provide useful context on matters related to TRI reporting.

To codify this rule, EPA is adding paragraph (c) to 40 CFR 372.85 to require regulated facilities to submit TRI reporting forms electronically using the current electronic reporting tool provided by EPA. EPA is also revising 40 CFR 372.85(b) to remove a mention of magnetic media, which conforms the

regulation to the proposal and thereby maintains consistency throughout TRI regulations and avoids confusion.

In summary, EPA will only accept TRI reporting forms that are submitted electronically via the Internet, except for trade secret TRI forms and substantiations; and EPA will not accept or process TRI reporting forms that are not submitted in the appropriate manner.

B. How does a facility register to use TRI-MEweb to prepare and submit TRI reporting forms?

TRI-MEweb is an interactive, user-friendly Web-based application that guides facilities through the TRI reporting process. As currently implemented, one or more representatives from each facility must establish an account with EPA's Central Data Exchange (CDX) in order to prepare, transmit, certify, and submit TRI Forms. CDX is EPA's centralized node on the Environmental Information Exchange Network that serves as EPA's main mechanism for receiving and exchanging electronic information reported via the Internet. A facility representative may register for a CDX account or gain access to an existing CDX account at *https://cdx.epa.gov/*.

During the CDX registration process, CDX prompts the facility representative to indicate which applications (e.g., TRI-MEweb) to link with the account. If the facility representative has previously registered with CDX for other purposes, then he/she can add TRI-MEweb to his/her existing CDX account.

When adding TRI-MEweb to the CDX account, CDX will ask the facility representative to select a role as a form Preparer or Certifying Official. Both a Preparer or Certifying Official can enter data onto a facility's TRI reporting form in TRI-MEweb and validate it for certification; but only a Certifying Official can approve and certify a TRI reporting form and submit the final, certified form to EPA. Preparers and Certifying Officials can use the same account to perform their TRI reporting roles (preparing and/or certifying TRI forms) for multiple facilities for which they are responsible.

EPA's current electronic reporting procedures require each Certifying Official to sign and submit an Electronic Signature Agreement (ESA) to the EPA before certifying any TRI reports for a given facility. Currently, once a facility representative registers in CDX as a TRI-MEweb certifying official, the representative may elect to: (1) Sign and submit an ESA electronically using a real-time online process through a third-party identity verification vendor; or (2) sign and mail a paper ESA to the EPA's Data Processing Center (DPC).

Real-time Online Process: Starting with RY 2012, Certifying Officials may use a third-party identity verification vendor to establish an ESA by voluntarily providing personal identifying information to authenticate his or her identity. The EPA does not collect any of this personal information. If successfully used, the electronic method allows near-instantaneous approval of an ESA. An electronic ESA will allow a Certifying Official to certify and submit TRI reporting forms for multiple facilities for which the official is responsible. The electronic ESA approval method is optional.

If the Certifying Official does not wish to provide personal information to this third-party vendor, they should submit a paper ESA form, described below, at least two weeks before the July 1st reporting deadline. Further, not every Certifying Official will be able to authenticate his or her identification successfully using this identity verification process and will, as a result, need to submit a paper ESA form.

Paper ESA: In lieu of the electronic ESA process, the CDX registration process can generate a printable ESA form. A Certifying Official must then sign and mail this ESA form to EPA's DPC for approval before the Certifying Official can begin to certify and submit any TRI forms to EPA. It may take up to five business days for EPA to approve a hardcopy ESA so EPA encourages Certifying Officials who submit a paper ESA to do so well before the July 1st deadline. Multiple facilities, each with a unique TRI Facility Identification (TRIFID), can also be added to a single paper ESA form. All TRIFIDs associated with the Certifying Official will be listed on the printout of the ESA document.

Once the ESA is approved by EPA (whether instantaneously through the electronic ESA process or via receipt and processing of a paper ESA), the Certifying Official may review, certify, and submit any pending TRI submissions to EPA using TRI-MEweb and CDX. More detailed information on these procedures is available on the TRI Web site (*http://www.epa.gov/tri*).

C. How does a facility use TRI-MEweb to prepare and submit TRI reporting forms?

Once registered with CDX and TRI-MEweb, a facility's Preparer or Certifying Official can gain access to TRI-MEweb through CDX. Once opened, the TRI-MEweb application provides interactive Web pages that enable a Preparer or Certifying Official to enter and validate the current year's TRI reporting form(s). After providing and validating the pertinent TRI reporting forms, a Preparer (or Certifying Official) can transmit the data electronically for certification where it is then available for certification by the facility's Certifying Official(s). The Certifying Official can then log into TRI-MEweb via CDX to review, certify, and submit the TRI report to EPA. Once EPA receives the certified report, the data are then ultimately sent to the public TRI database (and if appropriate, also to a state, tribe, or territory).

Some TRI facilities have their own software or use private software to assist in collecting chemical release data. This ''third-party software'' is often designed to produce output data files that match EPA's electronic data structure specifications. TRI-MEweb accepts chemical data files from third-party software using Extensible Markup Language (XML). Detailed information describing the XML schema TRI-MEweb uses for the current reporting year is available online at *http://www.exchangenetwork.net/exchanges/cross/tri.htm*.

Detailed instructions on using CDX and TRI-MEweb, including tutorials, are available on the TRI Web site and in the Reporting Forms and Instructions (RFI), which is also available through the TRI Web site. Facilities may also contact the TRI Information Center, the CDX Helpdesk, the Regional TRI Coordinators, or the TRI Program staff at EPA Headquarters for further assistance. Please see the ''Contact Us'' information located on the TRI Web site for further details.

TRI facilities are required to report to the EPA and the appropriate state, tribe, or territory (known as the dual-reporting requirement). However, facilities that are located in states, Indian country, or territories that actively participate with the TRI Data Exchange (TDX) can meet the dual-reporting requirement by submitting TRI reports using TRI-MEweb. For such facilities, reports submitted via TRI-MEweb are electronically made available to the state, tribe, or territory in which the facility is located, thus satisfying the requirement to submit TRI reporting forms to both the applicable state and EPA. Please note that some states, tribes, or territories may require additional reporting beyond the federal requirements. Dual-reporting does not satisfy such additional requirements.

For facilities located in states, Indian country, or territories not actively participating in TDX, the Certifying Official can print a hard copy of the TRI reporting forms or save the forms to a diskette and then submit the signed

hard copy forms or diskette along with a printed and signed certification statement to the appropriate state, tribe, or territory.

D. How will this rule affect revisions, withdrawals, and late submissions of TRI reporting forms?

This rule requires facilities that wish to revise or withdraw previously submitted non-trade-secret TRI reporting forms to do so through TRI-MEweb. The EPA will continue to allow facilities to revise, withdraw, or submit TRI reports going back to RY 1991, but not for reporting years prior to RY 1991. In January of 2014, the EPA will release a version of TRI-MEweb that will allow a facility to revise or withdraw TRI reports in TRI-MEweb for prior reporting years, back to RY 1991, even if the facility did not use TRI-MEweb for the original submission. The process used in TRI-MEweb to submit, revise, or withdraw TRI reports for RY 2005 through the present year will differ from the process used for reporting years prior to RY 2005. As addressed below, TRI-MEweb will provide more validation checks for the RY 2005 through the present reporting year period than it will provide for reporting years prior to RY 2005.

For revisions to TRI reporting forms submitted for RY 2005 through the current reporting year, TRI-MEweb will display TRI reporting forms as submitted and allow facilities to modify their data. TRI-MEweb will also validate the data using the validation checks that were in place in TRI-MEweb for those data for that reporting year. Similarly, TRI-MEweb will provide these validation checks for late submissions for RY 2005 through the current reporting year.

For revisions to TRI reporting forms submitted for RYs 1991–2004, TRI-MEweb will provide a blank form for that reporting year and allow the facility to enter data into the form. TRI-MEweb will perform basic error checking to ensure nonsensical values are not provided (e.g., submitting letters in a numeric field or providing negative release quantities), but will not perform the extensive validation checks provided for RY 2005 through the current reporting year. TRI-MEweb will likewise only provide basic error checking for late submissions of TRI reporting forms for RYs 1991–2004.

Keeping the interface simple and not implementing complicated validation checks for RYs 1991–2004 makes it economically and functionally feasible to modify TRI-MEweb to support these additional reporting years. Further, extending the range of reporting years in which facilities may revise, withdraw, and submit TRI reporting forms from RY 2005 (as in the proposed rule) to RY 1991 will allow facilities a greater number of years to submit updated TRI reporting forms. The TRI reporting forms have remained relatively stable from RY 1991 through RY 2004 and this range of years includes the first reporting year (RY 1991) in which facilities reported data elements required by the Pollution Prevention Act of 1990. The EPA has not received a revision for a reporting year prior to RY 1991 since 2004.

As with original TRI submissions, preparing and submitting revisions/withdrawals electronically should facilitate the reporting process for facilities, while also making it possible for EPA to more quickly process and make the updated data available to the public. Information on using TRI-MEweb to submit TRI revisions/withdrawals will be available on the TRI Web site and in the TRI-MEweb application.

As part of a process to reconcile a facility's name, address, and/or ownership and other facility-level information that differs from information provided during a previous reporting year, the EPA has historically contacted facilities about such differences and allowed facilities to update their facility-level information via letters, emails, and other methods less formal than a certified TRI reporting form. Additionally, facilities could access, print, mark up, and certify a copy of a submitted TRI reporting form using the electronic Facility Data Profile (eFDP) application to request revisions to that TRI reporting form. With this rulemaking, the EPA will no longer solicit or allow revisions to TRI reporting forms via the reconciliation process or process marked-up copies of certified forms printed using the eFDP application. Instead, facilities that wish to revise or withdraw previously submitted non-trade-secret TRI reporting forms must use TRI-MEweb to do so.

Please note that any revisions to and withdrawals of TRI reporting forms should also be submitted to the state, tribe, or territory that received the initial TRI report. The TRI Reporting in Indian Country rulemaking, published in the **Federal Register** on April 19, 2012, applies to RY 2012 onward, which means submissions of, revisions to, and withdrawals of TRI reporting forms for reporting years prior to RY 2012 should be sent to EPA and the appropriate state rather than to EPA and the tribe to which the facility currently reports. For example, while a facility located in Indian Country would submit TRI reporting forms to the EPA and the appropriate tribe for a revision to a RY 2012 TRI report, this facility should submit a revision to a TRI reporting form to the EPA and the appropriate state for any reporting year prior to RY 2012. More information on how to revise and withdraw TRI reporting forms while located in Indian Country is available via the TRI Web site (*http://www.epa.gov/tri*). Facilities may also contact the TRI Information Center, Regional TRI Coordinators, or TRI Program staff at EPA Headquarters for further assistance.

IV. What comments did EPA receive on this rule for electronic reporting of Toxics Release Inventory Data and what are EPA's responses to those comments?

EPA received five comments on the **Federal Register** document ''Electronic Reporting of Toxics Release Inventory Data'' (March 5, 2012; 77 FR 13061). These comments are accessible under Docket ID No. EPA–HQ–TRI–2011–0174. The commenters included three individuals, one agency, and one industry group. The comments from the individuals and agency were supportive of EPA's intent to streamline and improve the submission of TRI reporting forms by requiring facilities to report such data electronically. These comments generally stated that the rule would enable faster release of TRI data, reduce transcription errors, and improve data quality. Two of these commenters, while supporting EPA's action, requested that EPA provide some allowance for facilities unable to access the Internet for various reasons such as: A grace period for new facilities, a transition period for smaller facilities, and waivers for facilities in rural areas lacking Internet service. One of these commenters expressed concern with the EPA continuing to allow paper submissions of TRI reporting forms containing trade secret information. This commenter also requested EPA institute a more rigorous process for approving certifying officials and suggested that EPA require facilities to register more than one certifying official.

EPA had proposed limiting revisions and withdrawals of TRI reporting forms back to RY 2005 due to current capabilities of TRI-MEweb. In response, the industry group comment requested that EPA consider allowing revisions to and withdrawals of data submitted for reporting years prior to 2005. Specifically, this comment suggested EPA allow facilities to submit on paper any revisions or withdrawals of

previously submitted TRI reporting forms for reporting years prior to 2005.

EPA's responses are provided below.

1. Comment Recommending the EPA Allow Revisions and Withdrawals of TRI Reporting Forms for Reporting Years Prior to 2005 via Paper

One comment stated the EPA should continue to accept revisions and withdrawals of TRI reporting forms for all reporting years rather than limiting revisions and withdrawals to those pertaining to RY 2005 through the present reporting year. The comment argues that maintaining the capability for facilities to revise or withdraw reports for reporting years prior to 2005 is important for purposes of compliance and enforcement and helps ensure data accuracy and integrity in the publicly-available databases that provide TRI data.

Recognizing the potential difficulties in updating TRI-MEweb to accommodate revisions and withdrawals of TRI for all reporting years, the comment recommends the EPA accept such revisions and withdrawals on paper for reporting years prior to 2005. To support its position, the comment notes that the EPA receives a small number of revisions and withdrawals pertaining to reporting years prior to 2005 and suggests the cost to process paper submissions of these revisions and withdrawals would be minimal because EPA already plans to receive a limited number of trade secret submissions submitted by paper.

The EPA has reassessed its proposal to limit revisions and withdrawals of TRI reporting forms back to RY 2005 and will modify TRI-MEweb to support revisions, withdrawals, and late submittals of TRI reporting forms back to RY 1991. Keeping the interface simple and not implementing complicated validation checks for RYs 1991–2004 makes it economically and functionally feasible to modify TRI-MEweb to support additional reporting years. This update to TRI-MEweb will also support the spirit of the rulemaking to minimize paper flows of TRI reporting forms and expedite the release of TRI data to the public.

Extending the range of reporting years in which facilities may revise, withdraw, and submit TRI reporting forms from RY 2005 (as proposed) to RY 1991 will allow facilities a greater number of years to submit updated TRI reporting forms. EPA believes RY 1991 is a logical reporting year to serve as a cutoff because the reporting form remained relatively stable during this period and it includes the first reporting year (RY 1991) in which facilities reported data elements required by the Pollution Prevention Act of 1990. The EPA has not received a revision for a reporting year prior to RY 1991 since 2004.

2. Comment Recommending the EPA Require TRI Facilities To Report Trade Secrets Electronically

One comment stated that the EPA should require TRI facilities to report trade secrets electronically so that EPA can completely eliminate the need to spend any resources or money processing TRI reporting forms submitted by paper. The comment also stated it would be more effective to institute such a requirement now than to conduct another rulemaking process later to require the electronic reporting of trade secrets.

The EPA recognizes the benefits in requiring facilities to submit all TRI submissions electronically. However, to incorporate trade secret reports into TRI-MEweb, EPA would require enhancements to TRI-MEweb to ensure it adheres to the higher level of security compliance required to accept trade secrets via an online reporting tool. Due to resource constraints, EPA is not at this time incorporating the few trade secret reports received yearly (consistently fewer than ten such reports) into TRI-MEweb. However, EPA does not foreclose the possibility that incorporating trade secrets into TRI-MEweb might prove worthwhile in the future.

3. Comment Recommending Changes to the Certifying Official Registration Process

One comment suggested that the EPA should provide a more rigorous registration process than it currently uses for a person to register as a Certifying Official because the reports are submitted online, so the lack of a handwritten signature and the ease to which certifying officials can submit TRI forms could cause a certifier to minimize the importance of the certification process.

The comment also recommends that the EPA require each facility to designate at least two Certifying Officials with the Central Data Exchange (CDX) to help ensure facilities can certify their TRI reporting form(s) should a Certifying Official be unavailable near the TRI reporting deadline.

TRI regulations require TRI reporters to designate a senior management official who can certify TRI submissions for the facility. EPA defines a ''senior management official'' to be a person who is ''an official with management responsibility for the person or persons completing the report'' or ''the manager of environmental programs for the facility or establishments, or for the corporation owning or operating the facility or establishments responsible for certifying similar reports under other environmental regulatory requirements.'' 40 CFR 372.3. The ultimate responsibility for submitting TRI reporting forms rests on the owners and operators of facilities that trigger TRI reporting thresholds. 40 CFR 372.5, .30. TRI reporters bear the responsibility to ensure they follow statutory and regulatory requirements, including submitting TRI reports in a timely fashion. EPA believes TRI reporters recognize this responsibility regardless of whether they submit electronically or by paper.

Currently, in order to become a Certifying Official for a facility, a person must sign (in hard copy or electronically with adequate identity proofing) an electronic signature agreement (ESA) and send the ESA to the EPA before being able to certify and submit TRI forms using TRI-MEweb. The certification process used for TRI reporting follows EPA's CROMERR regulations (40 CFR part 3) that provide baseline requirements for electronic reporting to help ensure the signatory of any electronic submission understands the content of the submission. Recently, EPA bolstered its online reporting security by requiring Certifying Officials to select a question and provide an answer prior to gaining access to TRI reports ready for submission. Additionally, EPA continually considers new ways to improve the security of its online reporting processes.

Different TRI reporters have different management structures and some TRI facilities might only have one person who satisfies the definition for a ''senior management official.'' The EPA strongly encourages facilities to register more than one Certifying Official with CDX, but does not wish to impose a requirement on businesses that they register two or more Certifying Officials when one Certifying Official is adequate.

4. Comment Expressing Concern That the Online Reporting System Could Fail

One comment expresses concern that some unforeseen problem, such as a storm, could disable the online reporting system used to submit TRI reporting forms. The comment requests the EPA extend the reporting deadline or provide an alternative reporting method should an unforeseen problem arise.

The TRI reporting deadline is a statutory deadline. However, as appropriate, EPA can respond to unforeseen events such as natural disasters that would prevent the timely submittal of TRI reporting forms. Should such an event arise, the Agency would consider the particular circumstances and conduct outreach as necessary.

5. Comment Recommending EPA Provide a Liaison With Facilities To Assist With Reporting TRI Reporting Forms Electronically

One comment recommends that EPA designate human resources that can act both as liaisons to facilities that seek assistance with submitting TRI reporting forms electronically and as an internal development team to continue to make improvements to the electronic reporting application using feedback received from facilities.

EPA recognizes the need to assist facilities with submitting TRI reporting forms electronically, and addresses this need, in part, by maintaining the TRI Information Center and CDX Helpdesk. Furthermore, facilities may solicit assistance from the TRI DPC, Regional TRI Coordinators, or TRI Program staff at EPA Headquarters.

Each year EPA typically incorporates improved enhancements into TRI-MEweb, often including features to address aspects of the software with which facilities have required assistance in the past. The Agency plans to continue improving TRI-MEweb and encourages TRI reporters to suggest improvements (see *http://www.epa.gov/tri* for how to contact the TRI Program).

6. Comment Expressing Concern That Some Facilities Might Have Difficulties in Accessing the Internet

One comment expressed concern that some small facilities and some facilities in rural regions might have difficulties in accessing broadband Internet. Another comment suggested it could take some time for facilities that do not currently use a computer and/or TRI-MEweb to adapt to online reporting. Due to these potential concerns, the comments suggest that the EPA allow for a grace period, consider an interim or transition period, allow for smaller facilities in rural areas to file for waivers, or grandfather smaller and/or rural facilities under the old rule. For waivers, one comment suggested facilities would need to be longstanding reporters of TRI data and demonstrate evidence of extreme difficulty regarding compliance.

One comment also noted the percentage of facilities filing by paper has remained relatively constant since Reporting Year 2005, potentially implying there is a reason why approximately five percent of TRI reporters continue to submit TRI reports by paper.

The EPA has provided notice of this rulemaking since January 2011 when EPA published a notice in the **Federal Register** (76 FR 2677) that the Agency was considering requiring TRI facilities to submit TRI reporting forms electronically. Additionally, EPA sent a letter via email or postal carrier (if an email address was not available) to technical contacts for facilities that submitted TRI reporting forms for RY 2009 and RY 2008. This letter notified these facilities that EPA was considering a proposed rule to require the electronic submission of TRI reporting forms and informed the facilities of an online discussion forum where any interested stakeholder could comment on EPA's plan to require electronic reporting of TRI reporting forms. EPA recognized the discussion forum was provided electronically, which could bias the discussion toward facilities with access to computers, so EPA explained in the letter that facilities could physically mail comments to the Agency so that the Agency could make these comments available on the discussion forum. While a few comments on the forum expressed concern for small facilities and facilities in rural regions, the EPA did not receive any feedback on the forum or any written letters indicating any particular facility would face difficulty in complying with a requirement to submit TRI reporting forms using TRI-MEweb. Nor has the EPA received any formal comments in response to the proposal for this rulemaking that indicated any particular facility would have difficulties submitting electronically. Facilities have not stated they would need a grace period to follow an electronic reporting requirement for submitting TRI reporting forms, and the facilities have been alerted to this rulemaking for more than two years and will have nearly a year to prepare before RY 2013 TRI reports are due. The EPA does not foresee that facilities meeting TRI reporting thresholds—which include having ten or more full-time employees and manufacturing, processing, or otherwise using listed toxics above threshold amounts—will have difficulty using a computer or accessing the Internet. The EPA compared facilities that reported for RY 2010 with a database the Federal Communications Commission (FCC) maintains that indicates what parts of the country can access broadband. This analysis determined that all but sixteen facilities likely have access to broadband. Of these sixteen facilities, fourteen already use TRI-MEweb to submit TRI reporting forms to EPA.

Further, as mentioned in the preamble for the proposal, the EPA stopped mailing reporting forms to facilities as a matter of course, instead placing the TRI reporting forms on the TRI Web site since RY 2006. Since RY 2006, only one facility has requested that the Agency provide a paper form. This facility could access the Internet, but had recently elected to no longer maintain the connection.

7. Comment Recommending Improved Sharing of TRI Information

One comment notes that this rulemaking provides an opportunity to facilitate and encourage similar reporting on the state and local level as well, suggesting the next step should be an information-sharing system or proposal of how to streamline information electronically with the public on the state and local level. The comment notes that the ''TRI Data Exchange (TDX) has great potential to be the platform by which a certain level of intra-governmental cooperation is achieved. . . .''

The EPA does believe that TDX is an effective tool that states, tribes, and territories can use to access TRI reports and that participation in TDX benefits facilities and participating states, tribes, and territories by automatically sending TRI reports alongside the federal submittal, thereby reducing the collective burden to mail, receive, and process the reports.

Outside of TDX, the EPA also cooperates with state and tribal partners on TRI-related issues by regularly meeting with state, tribal, and EPA regional staff to discuss and coordinate TRI-related efforts on national and local levels. Additionally, to streamline information on a local level, the EPA provides a fact sheet for each state. These fact sheets summarize TRI data for each given state. These efforts are designed to help public users of TRI data view and understand TRI data within their communities.

The EPA is also committed to provide timely access to TRI data to the public by making TRI data available less than one month after the July 1st reporting deadline. With electronic reporting, a higher percentage of reports could be processed and released within the first month. Once EPA publicly releases the TRI data, the public can access the TRI data using several tools, which currently include TRI Explorer, myRight-To-

Know (myRTK), and Envirofacts (EPA's one-stop source for environmental information). The EPA continually seeks to improve the ways in which it shares TRI data with the public.

8. Comments Supporting the Rulemaking

Several comments approve of this rule as it will lower costs to the EPA, enable the Agency to provide TRI data more quickly, reduce the possibility of transcription errors, improve data quality due to the use of data quality checks in TRI-MEweb, and follow the general trend toward electronic reporting.

EPA appreciates the support offered by these comments and agrees that this rule makes it possible for EPA to process the data more quickly and better provide communities with access to the latest TRI data on toxic chemical releases and other waste management. EPA also agrees that the rule will improve the quality of TRI reporting forms due to the data quality checks incorporated into TRI-MEweb.

V. References

EPA has established an official public docket for this action under Docket ID No. EPA–HQ–TRI–2011–0174. The public docket includes information considered by EPA in developing this action, which is electronically or physically located in the docket. For assistance in locating any of these documents, please consult the person listed in the above **FOR FURTHER INFORMATION CONTACT** section.

VI. What are the statutory and Executive Order reviews associated with this action?

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

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

B. Paperwork Reduction Act

This action does not impose any new information collection burden. Instead, this action would merely change the manner in which the Agency receives information. The Office of Management and Budget (OMB) has previously approved the information collection requirements contained in the existing regulations 40 CFR part 372 under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. and has assigned the following OMB control numbers 2025–0009 (EPA Information Collection Request (ICR) No. 1363.21) and 2050–0078 (EPA ICR No. 1428.08). The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

C. Regulatory Flexibility Act, as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 601 et seq.

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

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

EPA conducted an economic analysis to consider the possible effects of this rulemaking on small entities. This analysis, ''Economic Analysis of the Electronic Reporting Final Rule: Community Right-to-Know; Toxic Chemical Release Reporting'' (Ref. #1), demonstrates this rule should not create an economic burden on an individual small business of more than 1% of its sales (or equivalent metric) and, thus, will not have a significant adverse impact on small businesses.

In summary, this rule will create a one-time burden and a minor subsequent burden for facilities that have not previously used TRI-MEweb to submit TRI reporting forms to EPA. This burden would relate to obtaining access to a computer and the Internet, establishing an account in CDX, and associating the CDX account with TRI-MEweb. A more detailed analysis of the impacts on small entities is located in EPA's economic analysis support document, *Economic Analysis of the Electronic Reporting Final Rule: Community Right-to-Know; Toxic Chemical Release Reporting,* located in the docket.

After considering the economic impacts of today's final rule on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. The small entities directly regulated by this final rule are small businesses and small governmental jurisdictions. We have determined that 3,180 small parent entities will need to familiarize themselves with this rulemaking and 112 small parent entities might need to register with CDX, establish an ESA, and purchase a computer and obtain Internet access. The maximum impact incurred by any small parent entity is approximately 0.5 percent of their annual revenue.

Although this final rule will not have a significant economic impact on a substantial number of small entities, EPA nonetheless has tried to reduce the impact of this rule on small entities. Throughout the process for this rulemaking, the EPA invited facilities to provide feedback on whether it would be difficult to report electronically. Further, the Agency has continually strived to provide an intuitive, user-friendly reporting system to prepare and submit TRI data that has become widely used by facilities submitting TRI forms. Ultimately, due to its economic analysis and its understanding of regulated community, the EPA does not believe this rulemaking will be burdensome for facilities, including small parent entities, that submit TRI forms.

D. Unfunded Mandates Reform Act

This rule does not contain a Federal mandate that may result in expenditures of $100 million or more for state, local, and tribal governments, in the aggregate, or the private sector in any one year. This rule will merely require facilities under the TRI Program to submit electronic reports using TRI–MEweb. Most facilities already adhere to this requirement, thus this rule will affect a relatively small number of facilities. Further, the cost to adhere to this rule is small and, in aggregate, will not cost more than $100 million or more for state, local, and tribal governments, or the private sector in any one year. Thus, this rule is not subject to the requirements of sections 202 or 205 of the Unfunded Mandates Reform Act (UMRA).

This rule is also not subject to the requirements of section 203 of UMRA because it contains no regulatory requirements that might significantly or uniquely affect small governments. Any small government that reports to the TRI Program will not incur significant costs because the cost, if any, to report electronically, as described above, is minimal.

E. Executive Order 13132, Federalism

This action does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. This action would require facilities that submit annual reports under section 313 of EPCRA to do so electronically, which will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Thus, Executive Order 13132 does not apply to this action.

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

This action does not have tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000). EPA has determined that this rule does not have tribal implications because it will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in the Executive Order. Instead, the rule merely affects how facilities report information to the TRI Program. Thus, Executive Order 13175 does not apply to this action.

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

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

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

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

I. National Technology Transfer and Advancement Act

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

This action does not involve technical standards. Therefore, EPA did not consider the use of any voluntary consensus standards.

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

E.O. 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 has determined that this rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment. Instead, this rule would merely address the manner in which regulated facilities submit reporting information.

K. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This final rule is effective January 21, 2014.

List of Subjects in 40 CFR Part 372

Environmental protection, Community right-to-know, Reporting and recordkeeping requirements.

Dated: August 16, 2013.

Gina McCarthy,

Administrator.

For the reasons set out in the preamble, Chapter I of Title 40 of the Code of Federal Regulations is amended as follows:

PART 372—TOXIC CHEMICAL RELEASE REPORTING: COMMUNITY RIGHT–TO–KNOW

■ 1. The authority citation for Part 372 continues to read as follows:

Authority: 42 U.S.C. 11023 and 11048.

■ 2. Amend § 372.85 by:

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

■ b. Adding paragraph (c).

The revised and added text reads as follows:

§ 372.85 Toxic chemical release reporting form and instructions.

* * * * *

(b) *Form elements.* Information elements reportable on EPA Form R and Form R Schedule 1 include the following:

* * * * *

(c) *Filing Requirements.* Effective January 21, 2014, facilities that submit TRI reporting forms (without claiming a trade secret), including revisions and withdrawals of TRI reporting forms, to EPA must prepare, certify, and submit their data to EPA electronically, using the TRI online-reporting software provided by EPA.

(1) EPA will no longer accept non-trade-secret TRI reports, revisions, or withdrawals on paper reporting forms, magnetic media, or CD–ROMs. Information and instructions regarding online reporting are available on the TRI Web site.

(2) Facilities must submit electronically any revisions or withdrawals of previously submitted TRI reporting forms. Facilities may submit, revise, or withdraw TRI reporting forms for reporting years 1991 through the present reporting year.

(3) The only exception to this TRI electronic reporting requirement of paragraph (c) relates to TRI submissions that claim a trade secret (including sanitized and unsanitized reporting forms) and revisions and withdrawals of such TRI submissions, which must be submitted to EPA on paper. Facilities may submit, revise, or withdraw these paper trade secret (including sanitized and unsanitized) TRI reporting forms for reporting years 1991 through the present reporting year.

[FR Doc. 2013–20744 Filed 8–26–13; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[CS Docket No. 97–151; FCC 98–20]

Pole Attachment Complaint Procedures

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: This document announces the approval of the Office of Management and Budget (OMB) for information collection requirements in the sections of regulations concerning pole attachments outlined in the **DATES** section.

DATES: Effective August 27, 2013, the amendments to §§ 1.1403(e) and 1.1404 published at 63 FR 12025, March 12, 1998,have been approved by OMB.

FOR FURTHER INFORMATION CONTACT: Michele Levy Berlove, Competition Policy Division, Wireline Competition Bureau at *Michele.Berlove@fcc.gov.*

SUPPLEMENTARY INFORMATION: On June 22, 1998, OMB approved the information collection requirements contained in sections 1.1403(e) and 1.1404 of the Code of Federal Regulations as a revision to OMB Control Number 3060–0392.

On January 24, 2001, OMB approved the information collection requirements contained in sections 1.1404(g), 1.1404(h) and 1.1404(j) of Title 47 of the Code of Federal Regulations as a revision to OMB Control Number 3060–0392.

These information collection requirements required OMB approval to become effective. The Commission publishes this document as an announcement of those approvals. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Thomas Butler, Federal Communications Commission, Room 5–C458, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number 3060–0392 in your correspondence. The Commission will also accept your comments via the Internet if you send them to *PRA@fcc.gov.*

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice, (202) 419–0432 (TTY)).

Synopsis: As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval for the information collection requirements described above. The OMB Control Number is 3060–0392. The total annual reporting burden for respondents for these collections of information, including the time for gathering and maintaining the collection of information, has been most recently approved to be:

For 3060–0392: 1,772 responses, for a total of 2,629 hours, and $450,000 in annual costs.

An agency may not conduct or sponsor a collection of information unless it displays a current valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act, which does not display a current, valid OMB Control Number. The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison.

[FR Doc. 2013–20672 Filed 8–26–13; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 121018563–3148–02]

RIN 0648–XC817

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 amounts of Pacific cod from catcher vessels using trawl gear to American Fisheries Act trawl catcher/processors and Amendment 80 catcher/processors in the Bering Sea and Aleutian Islands management area. This action is necessary to allow the 2013 total allowable catch of Pacific cod to be harvested.

DATES: Effective August 22, 2013, through 2400 hrs, Alaska local time (A.l.t.), December 31, 2013.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7269.

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 2013 Pacific cod total allowable catch (TAC) specified for catcher vessels using trawl gear in the BSAI is 51,312 metric tons (mt) as established by the final 2013 and 2014 harvest specifications for groundfish in the BSAI (78 FR 13813, March 1, 2013). The Regional Administrator has determined that catcher vessels using trawl gear will not be able to harvest 2,000 mt of the 2013 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(*9*). The Regional Administrator has also determined that this unharvested amount is unlikely to be harvested through the hierarchy set forth in § 679.20(a)(7)(iii)(A). Therefore, in accordance with § 679.20(a)(7)(iii)(A) and § 679.20(a)(7)(iii)(B), NMFS

reallocates 500 mt to American Fisheries Act (AFA) trawl catcher/processors and 1,500 mt to Amendment 80 catcher/processors.

The harvest specifications for Pacific cod included in the final 2013 harvest specifications for groundfish in the BSAI (78 FR 13813, March 1, 2013) are revised as follows: 5,840 mt for AFA trawl catcher/processors, 32,612 mt for Amendment 80 catcher/processors, and 49,312 mt for trawl catcher vessels. In accordance with § 679.91(f), NMFS will reissue cooperative quota permits for the reallocated Pacific cod to Amendment 80 catcher/processors following the procedures set forth in § 679.91(f)(3).

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 for catcher vessels using trawl gear to AFA trawl catcher/processors and Amendment 80 catcher/processors. 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 21, 2013.

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 22, 2013.

Emily H. Menashes,

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

[FR Doc. 2013–20892 Filed 8–22–13; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 78, No. 166

Tuesday, August 27, 2013

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0753; Directorate Identifier 2013–CE–025–AD]

RIN 2120–AA64

Airworthiness Directives; Beechcraft Corporation Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Beechcraft Corporation (type certificate previously held by Hawker Beechcraft Corporation) Models 1900, 1900C, and 1900D airplanes. This proposed AD was prompted by reports of cracking in the front spar cap angles and hat section structure of the vertical stabilizer. This proposed AD would require inspections of the vertical stabilizer spar angles and hat section for cracks with corrective actions as necessary. We are proposing this AD to correct the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by October 11, 2013.

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

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

For service information identified in this proposed AD, contact Beechcraft Corporation at address: 10511 E. Central, Wichita, Kansas 67206; phone: (800) 429–5372 or (316) 676–3140; Internet: *http://www.beechcraft.com/customer_support/contact_us/.* You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Examining the AD Docket

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

FOR FURTHER INFORMATION CONTACT: Paul Chapman, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209; phone: (316) 946–4152; fax: (316) 946–4107; email: *paul.chapman@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2013–0753; Directorate Identifier 2013–CE–025–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

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

Discussion

We were notified by Beechcraft Corporation of cracks found in the vertical stabilizer structure of Models 1900, 1900C, and 1900D airplanes. Out of 140 airplanes inspected, 56 cracks have been found. This condition, if not corrected, could lead to structural failure of the vertical stabilizer and result in loss of control.

Relevant Service Information

We reviewed Hawker Beechcraft Mandatory Service Bulletin SB 55–4114, dated August 2012; Hawker Beechcraft Corporation Model 1900/1900C Airliner Structural Inspection Manual, Part Number 98–30937G2, dated May 1, 2013; and Beechcraft Corporation Model 1900D Airliner Structural Inspection Manual, Part Number 129–590000–65E5, dated May 1, 2013. The service information describes procedures for visually inspecting the vertical stabilizer spar angles and hat section.

FAA's Determination

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

Proposed AD Requirements

This proposed AD would require doing visual inspections of the vertical stabilizer spar angles and hat section for cracks and taking corrective actions as necessary.

Costs of Compliance

We estimate that this proposed AD affects 400 airplanes.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Visual inspection of the vertical stabilizer spar angles and hat section.	1.5 work-hours × $85 per hour = $127.50.	Not applicable	$127.50	$51,000

We estimate the following costs to do any necessary repairs that would be required based on the results of the proposed inspection. We have no way of determining the number of aircraft that might need these repairs:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Repair of the spar cap (right hand or left hand)	30 work-hours × $85 per hour = $2,550	$600	$3,150

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation): Docket No. FAA–2013–0753; Directorate Identifier 2013–CE–025–AD.

(a) Comments Due Date

We must receive comments by October 11, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the following Beechcraft Corporation airplanes, certificated in any category:

Model	Serial No.
1900	UA–3.
1900C	UB–1 through UB–74, UC–1 through UC–174–6.
1900C (C–12J)	UD–1 through UD–6.
1900D	UE–1 through UE–439.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 55, Stabilizers.

(e) Unsafe Condition

This AD was prompted by reports of cracking in the front spar cap angles and hat section of the vertical stabilizer structure. We are issuing this AD to detect and correct cracking in the vertical stabilizer structure, which could lead to structural failure of the vertical stabilizer and result in loss of control.

(f) Compliance

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

(g) Visual Inspections

(1) *For all airplanes:* Within the next 600 hours time-in-service (TIS) after the effective date of this AD, inspect part number (P/N) 101–640011–3/–4 spar angles and P/N 114–640000–25/–26 hat section for cracks following the Accomplishment Instructions in paragraph 3.A. of Hawker Beechcraft Mandatory Service Bulletin SB 55–4114, dated August 2012.

(2) *For Models 1900 and 1900C airplanes:* Within 1,200 hours TIS after the initial inspection required in paragraph (g)(1) of this AD or within 2 years after the initial inspection required in paragraph (g)(1) of this AD, whichever occurs first, and repetitively thereafter at intervals not to exceed 1,200 hours TIS or 2 years, whichever occurs first, inspect P/N 101–640011–3 and P/N 101–640011–4 spar cap angles for cracks. Follow Procedure 8 under Vertical Stabilizer in the ''I'' Check Procedures of Hawker Beechcraft Corporation Model 1900/1900C Airliner Structural Inspection Manual, Part Number 98–30937G2, dated May 1, 2013.

(3) *For Models 1900 and 1900C airplanes:* Within 1,200 hours TIS after the initial inspection required in paragraph (g)(1) of this AD or within 2 years after the initial inspection required in paragraph (g)(1) of this AD, whichever occurs first, and repetitively thereafter at intervals not to exceed 1,200 hours TIS or 2 years, whichever occurs first, inspect P/N 114–640000–25 and P/N 114–

640000–26 hat section for cracks. Follow Procedure 9 under Vertical Stabilizer in the ''I'' Check Procedures of Hawker Beechcraft Corporation Model 1900/1900C Airliner Structural Inspection Manual, Part Number 98–30937G2, dated May 1, 2013.

(4) *For Model 1900D airplanes:* Within 1,200 hours TIS after the initial inspection required in paragraph (g)(1) of this AD or within 2 years after the initial inspection required in paragraph (g)(1) of this AD, whichever occurs first, and repetitively thereafter at intervals not to exceed 1,200 hours TIS or 2 years, whichever occurs first, inspect P/N 101–640011–3 and P/N 101–640011–4 spar cap angles for cracks. Follow Procedure 6.b. under Vertical Stabilizer Canted Stabilizer Station (CSS 69.184 through VSS 91.10) in the ''I'' Check Procedures of Beechcraft Corporation Model 1900D Airliner Structural Inspection Manual, Part Number 129–590000–65E5, dated May 1, 2013.

(5) *For Model 1900D airplanes:* Within 1,200 hours TIS after the initial inspection required in paragraph (g)(1) of this AD or within 2 years after the initial inspection required in paragraph (g)(1) of this AD, whichever occurs first, and repetitively thereafter at intervals not to exceed 1,200 hours TIS or 2 years, whichever occurs first, inspect P/N 114–640000–25 and P/N 114–640000–26 hat section for cracks. Follow Procedure 6.c. under Vertical Stabilizer Canted Stabilizer Station (CSS 69.184 through VSS 91.10) in the ''I'' Check Procedures of Beechcraft Corporation Model 1900D Airliner Structural Inspection Manual, Part Number 129–590000–65E5, dated May 1, 2013.

(h) Repair

If any cracks are found during any of the inspections required in paragraph (g) of this AD, to include all subparagraphs, before further flight, you must contact Beechcraft Corporation to obtain repair instructions approved by the Wichita Aircraft Certification Office (ACO) specifically for compliance with this AD and incorporate those instructions. You can find contact information for Beechcraft Corporation in paragraph (k)(1) of this AD.

(i) Special Flight Permit

If cracks are found during any of the inspections required in paragraph (g) of this AD, to include all subparagraphs, the FAA may allow a one-time special flight permit to a repair facility depending on the cracking found. You must contact Beechcraft Corporation and provide them with crack detail information for them to determine residual strength of the airplane before applying to the FAA for a special flight permit. You can find contact information for Beechcraft Corporation in paragraph (k)(1) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Wichita ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

(1) For more information about this AD, contact Paul Chapman, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209; phone: (316) 946–4152; fax: (316) 946–4107; email: *paul.chapman@faa.gov.*

(2) For service information identified in this AD, contact Beechcraft Corporation at address: 10511 E. Central, Wichita, Kansas 67206; phone: (800) 429–5372 or (316) 676–3140; Internet: *http://www.beechcraft.com/customer_support/contact_us/.* You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Issued in Kansas City, Missouri, on August 20, 2013.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20853 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0702; Directorate Identifier 2012–NM–181–AD]

RIN 2120–AA64

Airworthiness Directives; 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede airworthiness directive (AD) 2008–14–16 that applies to certain 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Model 328–100 and 328–300 airplanes. AD 2008–14–16 currently requires installing warning placards on the inside of the passenger door and service doors and modifying the hinge supports and support struts of the passenger doors. Since we issued AD 2008–14–16, we received reports that certain fasteners, which were installed as part of the modification, are the wrong length. This proposed AD would require replacing the fasteners which were installed as part of the modification with new fasteners of the correct length, adds new airplanes, and removes one airplane. We are proposing this AD to prevent incidents of inadvertent opening and possible detachment of a passenger door in-flight, resulting in damage to airframe and systems and loss of control of the airplane.

DATES: We must receive comments on this proposed AD by October 11, 2013.

ADDRESSES: You may send comments by any of the following methods:

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

For service information identified in this proposed AD, contact 328 Support Services GmbH, Global Support Center, P.O. Box 1252, D–82231 Wessling, Federal Republic of Germany; telephone +49 8153 88111 6666; fax +49 8153 88111 6565; email *gsc.op@328support.de;* Internet *http://www.328support.de.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

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

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer,

International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone (425) 227–1175; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2013–0702; Directorate Identifier 2012–NM–181–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

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

Discussion

On July 17, 2008, we issued AD 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008). AD 2008–14–16 required actions intended to address an unsafe condition on 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Model 328–100 and Model 328–300 airplanes.

Since we issued AD 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008), we received reports that certain fasteners which were installed as part of the modification are the wrong length and need to be replaced. The European Aviation Safety Agency (EASA), which is the aviation authority for the Member States of the European Community, has issued EASA Airworthiness Directive 2012–0183R1, dated September 28, 2012 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> At least one incident occurred where, immediately after take-off, the passenger door of a Dornier 328 aeroplane completely opened. The flight crew reportedly had no cockpit indication or audible chime prior to this event. The aeroplane returned to the departure airfield and made an uneventful emergency landing. Substantial damage to the door, handrails, door hinge arms and fuselage skin were found.
>
> The subsequent investigation could not find any deficiency in the design of the main cabin door locking mechanism. In addition, no technical failure could be determined that precipitated the event. The flight data recorder showed that the door was closed and locked before take-off and opened shortly afterwards. Although final proof could not be obtained, the most likely way in which the door opened was that the door handle was inadvertently operated during the take-off run.
>
> In response to the incident, AvCraft (the TC holder at the time) developed a placard set to warn the occupants against touching the door handle, as well as a structural modification of the passenger door hinge supports described in [Dornier 328 Support Services] Service Bulletin (SB) SB–328–52–460 and SB–328J–52–213 to make certain that the door does not separate from the aeroplane when inadvertently opened during flight, allowing a safe descent and landing.
>
> EASA issued AD 2007–0199 to require the installation of warning placards and modification as detailed in these SB instructions.
>
> Since that AD [2007–0199] was issued, 328 Support Services GmbH (the current type certificate holder) have determined that certain fasteners, identified by Part Number (P/N) NAS6703U1 and P/N NAS6703U2, which were installed as part of the modification, have the wrong length and must be replaced.
>
> For the reasons described above, this [EASA] AD retains the requirements of EASA AD 2007–0199, which is superseded, and requires replacement of the affected fasteners by the ones that have the correct length. This [EASA] AD has been revised to correct and clarify the actions required by paragraph (3).

This AD also adds new airplanes and removes one airplane from the applicability of this AD. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

328 Support Services GmbH has issued 328 Support Services Service Bulletin SB–328–52–460, Revision 2, dated March 1, 2012 (for Model 328–100 airplanes); and Dornier 328 Support Services Service Bulletin SB–328J–52–213, Revision 1, dated August 17, 2011 (for Model 328–300 airplanes). The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

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

Costs of Compliance

We estimate that this proposed AD affects 35 airplanes of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modify passenger doors [retained actions from AD 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008)].	38 work-hours × $85 per hour = $3230	$11,961	$15,191	$531,685
Replace fasteners [new proposed action]	25 work-hours × 85 per hour = 2,125	0	2,125	74,375

Authority for This Rulemaking

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

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

that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

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

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

3. Will not affect intrastate aviation in Alaska; and

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008), and adding the following new AD:

328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH): Docket No. FAA–2013–0702; Directorate Identifier 2012–NM–181–AD.

(a) Comments Due Date

We must receive comments by October 11, 2013.

(b) Affected ADs

This AD supersedes AD 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008).

(c) Applicability

This AD applies to 328 Support Services GmbH (Type Certificate previously held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) airplanes, certificated in any category, identified in paragraphs (c)(1) and (c)(2) of this AD.

(1) Model 328–100 airplanes, serial numbers 3005 through 3101 inclusive, 3103, 3104, 3106, 3109, 3110, 3112, 3113, 3115, 3117, and 3119.

(2) Model 328–300 airplanes, all serial numbers.

(d) Subject

Air Transport Association (ATA) of America Code 11, Placards and Markings; and Code 52, Doors.

(e) Reason

This AD was prompted by reports that certain fasteners, which were installed as part of a modification, are the wrong length. We are issuing this AD to prevent incidents of inadvertent opening and possible detachment of a passenger door in-flight, resulting in damage to airframe and systems and loss of control of the airplane.

(f) Compliance

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

(g) Retained Installation and Modification for Airplanes Identified in AD 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008) with Revised Service Information

This paragraph restates the requirements of paragraph (f) of AD 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008), with revised service information.

(1) For Model 328–100 airplanes, serial numbers 3005 through 3098 inclusive, 3100, 3106, 3109, 3110, 3112, 3113, 3115, 3117, and 3119; and Model 328–300 airplanes, having serial numbers 3102, 3105, 3108, 3111, 3114, 3116, 3118, and 3120 through 3224 inclusive: Within 30 days after August 21, 2008, the effective date of AD 2008–14–16, Amendment 39–15611 (73 FR 40955, July 17, 2008), install warning placards on the inside of the passenger door and service doors, in accordance with the Accomplishment Instructions of the service information specified in paragraph (g)(1)(i) or (g)(1)(ii) of this AD, as applicable.

(i) Dornier [328 Support Services] Service Bulletin SB–328–11–454, dated May 3, 2004 (for Model 328–100 airplanes).

(ii) Dornier [328 Support Services] Service Bulletin SB–328J–11–209, dated May 3, 2004 (for Model 328–300 airplanes).

(2) For Model 328–100 airplanes, serial numbers 3005 through 3098 inclusive, 3100, 3106, 3109, 3110, 3112, 3113, 3115, 3117, and 3119; and Model 328–300 airplanes, having serial numbers 3102, 3105, 3108, 3111, 3114, 3116, 3118, and 3120 through 3224 inclusive: Within 12 months after the effective date of August 21, 2008, the effective date of AD 2008–14–16, Amendment 39–15611 (73 FR 0955, July 17, 2008), modify the hinge supports and support struts of the passenger doors, in accordance with the Accomplishment Instructions of the service information specified in paragraphs (g)(2)(i) through (g)(2)(iv) of this AD, as applicable. As of the effective date of this AD only the service information specified in paragraphs (g)(2)(ii) or (g)(2)(iv) of this AD, as applicable, may be used.

(i) Dornier [328 Support Services] Service Bulletin SB–328–52–460, dated February 4, 2005 (for Model 328–100 airplanes).

(ii) Dornier 328 Support Services Service Bulletin SB–328–52–460, Revision 2, dated March 1, 2012 (for Model 328–100 airplanes).

(iii) Dornier [328J Support Services] Service Bulletin SB–328J–52–213, dated February 4, 2005, (for Model 328–300 airplanes).

(iv) Dornier 328J Support Services Service Bulletin SB–328J–52–213, Revision 1, dated August 17, 2011 (for Model 328–300 airplanes).

(h) New Installation and Modification for Newly Added Airplanes

For airplanes not identified in paragraph (g) of this AD, do the actions required by paragraphs (h)(1) and (h)(2) of this AD.

(1) Within 30 days after the effective date of this AD, install warning placards on the inside of the passenger door and service doors, in accordance with the Accomplishment Instructions of Dornier [328 Support Services] Service Bulletin SB–328–11–454, dated May 3, 2004 (for Model 328–100 airplanes); or Dornier [328 Support Services] Service Bulletin SB–328J–11–209, dated May 3, 2004 (for Model 328–300 airplanes); as applicable.

(2) Within 12 months after the effective date of this AD, modify the hinge supports and support struts of the passenger doors, in accordance with the Accomplishment Instructions of Dornier 328 Support Services Service Bulletin SB–328–52–460, Revision 2, dated March 1, 2012 (for Model 328–100 airplanes); or Dornier 328 Support Services Service Bulletin SB–328J–52–213, Revision 1, dated August 17, 2011 (for Model 328–300 airplanes); as applicable.

(i) New Replacement of Fasteners for all Airplanes

For airplanes on which 26 part number NAS6703U1 fasteners were installed as specified in the service information in paragraphs (g)(2)(i) and (g)(2)(iii) of this AD: Within 6 months after the effective date of this AD, replace the 20 affected part number NAS6703U1 fasteners with new fasteners having part number NAS6703U2, in accordance with the Accomplishment Instructions of Dornier 328 Support Services Service Bulletin SB–328–52–460, Revision 2, dated March 1, 2012 (for Model 328–100 airplanes); or Dornier 328 Support Services Service Bulletin SB–328J–52–213, Revision 1, dated August 17, 2011 (for Model 328–300 airplanes); as applicable.

Note 1 to paragraph (i) of this AD: Dornier 328 Support Services Service Bulletin SB–

328–52–460, Revision 2, dated March 1, 2012 and Dornier 328 Support Services Service Bulletin SB–328J–52–213, Revision 1, dated August 17, 2011, identify 20 of 26 part number NAS6703U1 fasteners requiring to be replaced due to incorrect length.

(j) Credit for Previous Actions

This paragraph provides credit for certain actions required by paragraph (g) and (h)(2) of this AD, if those actions were performed before the effective date of this AD using 328 Support Services Service Bulletin SB–328–52–460, Revision 1, dated August 17, 2011.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone (425) 227–1175; fax (425) 227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

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

(l) Related Information

(1) Refer to European Aviation Safety Agency (EASA) Airworthiness Directive 2012–0183R1, dated September 28, 2012, for related information, which can be found in the AD docket on the Internet at *http://www.regulations.gov*.

Issued in Renton, Washington, on August 16, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20845 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0701; Directorate Identifier 2013–NM–073–AD]

RIN 2120–AA64

Airworthiness Directives; the Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all the Boeing Company Model 727 airplanes. This proposed AD is intended to complete certain mandated programs intended to support the airplane reaching its limit of validity (LOV) of the engineering data that support the established structural maintenance program. This proposed AD would require repetitive inspections for cracking of small repairs done on the vertical flange of the rib chord, repetitive inspections for cracking along the upper fillet radius of the rib chord, and a large repair or preventive modification if necessary. Accomplishment of a large repair or preventive modification would terminate the actions of the proposed AD. We are proposing this AD to prevent cracks in the rib upper chord, which could result in the inability of the wing structure to support the limit load condition, and consequent loss of structural integrity of the wing.

DATES: We must receive comments on this proposed AD by October 11, 2013.

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

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

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com*. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

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

FOR FURTHER INFORMATION CONTACT: Galib Abumeri, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Blvd., Suite 100, Lakewood, CA 90712–4137; phone: 562–627–5324; fax: 562–672–5210; email: *galib.abumeri@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2013–0701; Directorate Identifier 2013–NM–073–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

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

Discussion

As described in FAA Advisory Circular 120–104 (*http://www.faa.gov/documentLibrary/media/Advisory_Circular/120–104.pdf*), several programs have been developed to support initiatives that will ensure the continued airworthiness of aging airplane structure. The last element of those initiatives is the requirement to establish a limit of validity (LOV) of the

engineering data that support the structural maintenance program under 14 CFR 26.21. This proposed AD is the result of an assessment of the previously established programs by Boeing during the process of establishing the LOV for Model 727 airplanes. The actions specified in this proposed AD are necessary to complete certain programs to ensure the continued airworthiness of aging airplane structure and to support an airplane reaching its LOV.

Cracks have been reported on at least 8 airplanes in the upper vertical flange of the wing-to-body rib upper chord at body station 760. The cracks were detected when the airplanes had reached between 19,700 and 49,000 total flight cycles, and between 35,000 and 54,000 total flight hours. Cracks in the rib upper chord, if not corrected, could result in the inability of the wing structure to support the limit load condition, and consequent loss of structural integrity of the wing.

Related Rulemaking

AD 90–06–09, Amendment 39–6488 (55 FR 8370, March 7, 1990), which affects Model 727 series airplanes, requires, among other things, structural modifications specified in Boeing Service Bulletin 727–57–0112, Revision 2, dated May 19, 1988.

AD 94–07–08, Amendment 39–8866 (59 FR 14545, March 29, 1994), which affects certain Boeing Model 727 series airplanes, requires structural inspections specified in Boeing Service Bulletin 727–57–0112, Revision 2, dated May 19, 1988, and corrective actions if necessary. The corrective actions include small repairs, large repairs, and modifications. AD 94–07–08 requires repetitive inspections for cracks, but does not require repetitive inspections of small repairs. Accomplishment of the modification specified in AD 94–07–08 terminates those repetitive inspections.

Relevant Service Information

We reviewed Boeing Service Bulletin 727–57–0112, Revision 5, dated July 31, 1997. For information on the procedures and compliance times, see this service information at *http://www.regulations.gov* by searching for Docket No. FAA–2013–0701.

FAA's Determination

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

Proposed AD Requirements

This proposed AD would require repetitive inspections for cracking of any small repairs done on the vertical flange of the rib chord from the inboard side. The proposed AD would require a large repair or modification if any cracking is found. Accomplishment of a large repair or preventive modification would terminate the actions of the proposed AD.

Differences Between the Proposed AD and the Service Information

This proposed AD would require repetitive inspections for cracks along the upper fillet radius of the rib chord. Boeing Service Bulletin 727–57–0112, Revision 5, dated July 31, 1997, does not specify this inspection if a small repair is done. This difference has been coordinated with Boeing.

Costs of Compliance

We estimate that this proposed AD affects 106 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspections (per wing) ...	6 work-hours × $85 per hour = $510 per inspection cycle.	$0	$510 per inspection cycle.	$54,060 per inspection cycle.

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Large repair [1,2]	300 work-hours × $85 per hour = $25,500	$12,139	$37,639
Preventive modification [1,3]	57 work-hours × $85 per hour = $4,845	10,614	15,459

[1] Cost for on-condition actions (either [2] or [3]), per wing.
[2] Cost for large repair, per wing.
[3] Cost for preventive modification, per wing.

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

The Boeing Company: Docket No. FAA–2013–0701; Directorate Identifier 2013–NM–073–AD.

(a) Comments Due Date

We must receive comments by October 11, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 727, 727C, 727–100, 727–100C, 727–200, and 727–200F series airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 57, Wings.

(e) Unsafe Condition

This AD is intended to complete certain mandated programs intended to support the airplane reaching its limit of validity (LOV) of the engineering data that support the established structural maintenance program. We are issuing this AD to prevent cracks in the rib upper chord, which could result in the inability of the wing structure to support the limit load condition, and consequent loss of structural integrity of the wing.

(f) Compliance

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

(g) Post-Repair Inspection

For any small repair that has been done as specified in Boeing 727 Service Bulletin 57–112; or Part III of the Accomplishment Instructions of Boeing Service Bulletin 727–57–0112: Within 3,500 flight cycles after the small repair was installed or inspected as specified in Boeing Service Bulletin 727–57–0112, or within 18 months after the effective date of this AD, whichever occurs latest, do a high frequency eddy current inspection for cracking of the vertical flange of the rib chord from the inboard side, and do a detailed (close visual) inspection for cracking along the upper fillet radius of the rib chord, in accordance with Part III of the Accomplishment Instructions of Boeing Service Bulletin 727–57–0112, Revision 5, dated July 31, 1997. Repeat the inspections thereafter at intervals not to exceed 3,500 flight cycles until accomplishment of the repair or modification specified in paragraph (i) or (j) of this AD.

(h) Inspection Definition

For the purposes of this AD, a detailed inspection is an intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirror, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate procedures may be required.

(i) Corrective Action for Cracks

If any crack is found during any inspection required by paragraph (g) of this AD, before further flight, do either action specified in paragraph (i)(1) or (i)(2) of this AD. Accomplishment of either action terminates the requirements of paragraphs (g) and (h) of this AD.

(1) Do a large repair, in accordance with Part IV of the Accomplishment Instructions of Boeing Service Bulletin 727–57–0112, Revision 5, dated July 31, 1997.

(2) Do a preventive modification, in accordance with Part V of the Accomplishment Instructions of Boeing Service Bulletin 727–57–0112, Revision 5, dated July 31, 1997.

(j) Optional Terminating Action

Accomplishment of the actions specified in either paragraph (j)(1) or (j)(2) of this AD terminates the requirements of paragraphs (g), (h), and (i) of this AD.

(1) A large repair, in accordance with Part IV of the Accomplishment Instructions of Boeing Service Bulletin 727–57–0112, Revision 5, dated July 31, 1997. Any crack found must be repaired before further flight using a method approved in accordance with the procedures specified in paragraph (l) of this AD.

(2) A preventive modification, in accordance with Part V of the Accomplishment Instructions of Boeing Service Bulletin 727–57–0112, Revision 5, dated July 31, 1997. Any crack found must be repaired before further flight using a method approved in accordance with the procedures specified in paragraph (l) of this AD.

(k) Credit for Previous Actions

This paragraph provides credit for the inspections, large repair, and modification specified in this AD, if those actions were performed before the effective date of this AD using Boeing Service Bulletin 727–57–0112, Revision 4, dated October 29, 1992.

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov*.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(m) Related Information

(1) For more information about this AD, contact Galib Abumeri, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Blvd., Suite 100, Lakewood, CA 90712–4137; phone: 562–627–5324; fax: 562–672–5210; email: *galib.abumeri@faa.gov*.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com*. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on August 16, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–20840 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

28 CFR Part 94

[Docket No. OJP (OVC) 1523]

RIN 1121–AA69

VOCA Victim Assistance Program

AGENCY: Office for Victims of Crime, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Office for Victims of Crime (''OVC'') of the U.S. Department of Justice's Office of Justice Programs (''OJP''), proposes this rule to

implement the victim assistance formula grant program (''Victim Assistance Program'') authorized by the Victims of Crime Act of 1984 (''VOCA''). Generally speaking, this law authorizes OVC to provide an annual grant from the Crime Victims Fund to each State and eligible territory for the financial support of services to victims of crime by eligible crime victim assistance programs. The proposed rule would codify and update the existing VOCA Victim Assistance Program Guidelines (''Guidelines'') to reflect changes in OVC policy, needs of the crime victims services field, and VOCA itself.

DATES: Comments must be received by no later than 11:59 p.m., E.T., on October 28, 2013.

ADDRESSES: You may view an electronic version of this proposed rule at *http://www.regulations.gov*, and you may also comment by using the *www.regulations.gov* form for this regulation. OVC prefers to receive comments via *www.regulations.gov* where possible. When submitting comments electronically, you should include OJP Docket No. 1523 in the subject box. Additionally, comments may also be submitted via U.S. mail, to: Toni Thomas, State Compensation and Assistance Division, Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice, 810 7th Street NW., Washington, DC 20531; or by telefacsimile transmission, to: Toni Thomas, at (202) 305–2440. To ensure proper handling, please reference OJP Docket No. 1523 on your correspondence.

FOR FURTHER INFORMATION CONTACT: Toni Thomas, State Compensation and Assistance Division, Office for Victims of Crime, at (202) 307–5983.

SUPPLEMENTARY INFORMATION:

I. Posting of Public Comments

Please note that all comments received are considered part of the public record and made available for public inspection online at *http://www.regulations.gov.* Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter.

If you wish to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not wish for it to be posted online, you must include the phrase ''PERSONAL IDENTIFYING INFORMATION'' in the first paragraph of your comment. You must also locate all the personal identifying information you do not want posted online in the first paragraph of your comment and identify what information you want redacted.

If you wish to submit confidential business information as part of your comment but do not wish it to be posted online, you must include the phrase ''CONFIDENTIAL BUSINESS INFORMATION'' in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be posted on *http://www.regulations.gov.*

Personal identifying information identified and located as set forth above will be placed in the agency's public docket file, but not posted online. Confidential business information identified and located as set forth above will not be placed in the agency's public docket file, nor will it be posted online. If you wish to inspect the agency's public docket file in person by appointment, please see the ''For Further Information Contact'' paragraph.

II. Executive Summary

A. Purpose of the Proposed Regulatory Action

The Victims of Crime Act of 1984 (VOCA) authorizes OVC to provide an annual formula grant from the Crime Victims Fund to each State and eligible territory. These annual Victim Assistance Program formula grants are used by the States and territories to provide financial support to eligible crime victim assistance programs. *See* 42 U.S.C. 10603. OVC proposes this rule pursuant to the rulemaking authority granted to the OVC Director by 42 U.S.C. 10604(a). The proposed rule would codify and update the existing program Guidelines to reflect changes in OVC policy, the needs of the crime victim services field, and VOCA itself.

B. Summary of the Major Provisions of the Proposed Regulatory Action

OVC proposes some substantive departure from the Guidelines; however, the majority of provisions in the proposed rule are the same as the corresponding provisions of the Guidelines. The proposed rule would reorganize the program rules into five major parts: (1) General Provisions; (2) State Administering Agency Program Requirements; (3) State Administering Agency Use of VOCA Funds for Administration and Training; (4) Sub-Recipient Program Requirements; and (5) Sub-Recipient Allowable/Unallowable Costs.

The rules proposed in the General Provisions part would not substantively depart from the Guidelines. The definitions section in this part proposes to define frequently used terms, including ''crime victim'', ''State administering agency'', ''victim of child abuse'', and ''direct services''. These proposed definitions are consistent in substance with the definitions in the Guidelines. OVC proposes a new definition of the undefined statutory term ''child abuse'' that is intended to make patent OVC's existing flexible approach of allowing States to address a broad variety of harm to children.

The State Administering Agency Program Requirements part proposes a basic statement of the purpose of State-level VOCA funding, and summarizes the statutory eligibility and certification requirements. OVC proposes to clarify that the existing practice (presently allowed by OVC, but not acknowledged in the existing Guidelines) in some States of passing funds along to another entity to administer the State's victim assistance program is permissible, and to set out rules for administering funding in this way. OVC proposes a section clearly setting forth how States must allocate VOCA funding among various types of victim service programs (e.g., those serving priority crime victim categories, and previously underserved victims), but does not propose any changes to the allocation percentages set out in the Guidelines. OVC proposes a new mandate that State administering agencies compete subawards every five years; as well as a provision allowing States to use alternative risk-based monitoring procedures instead of the standard biennial on-site monitoring of all subawards required by the Guidelines. OVC believes that competition of subawards will lead to better and more cost-effective services; while allowing States to propose alternative monitoring strategies would allow States to use innovative and more cost-effective monitoring practices. This part also proposes other situation-specific rules that State administering agencies must follow when overseeing subawards; these provisions largely track the Guidelines.

The State Administering Agency Use of VOCA Funds for Administration and Training part proposes to clarify and bring the existing guideline provisions setting out maximum amounts for administration and training costs into harmony with more recent statutory changes. The proposed part would list allowable administrative and training costs, all of which would be consistent with those set out in the Guidelines.

The Sub-Recipient Program Requirements part proposes a concise statement of the purpose of VOCA sub-awards, and summarizes the statutory eligibility requirements for sub-recipients. OVC proposes maintaining the existing project match provisions that require most sub-recipients to provide a twenty percent match for the purpose of leveraging and augmenting assistance funding. As in the existing Guidelines, sub-recipients in U.S. territories and possessions would not be subject to match. OVC proposes to eliminate the match requirement, currently at five percent, for American Indian and tribal organizations. These entities, like those in U.S. territories and possessions, often have difficulty accessing matching resources—a match requirement in such circumstances can be counterproductive and lead to fewer victim services in those already underserved jurisdictions.

The Sub-Recipient Allowable/Unallowable Costs part proposes a list of activities that sub-recipients may undertake using VOCA funding. The majority of the listed costs are substantively the same as those listed in the existing Guidelines. OVC does, however, propose a few substantive changes: OVC proposes to allow States more flexibility to support legal services for victims. The existing Guidelines allow legal services for victims, but only in the emergency context. OVC has received feedback from victim service providers indicating that there is a significant need for legal services for victims outside of the emergency context (e.g., asserting rights in the criminal justice process, support for human trafficking victims with a myriad of complicated issues). Allowing States to provide such services will lead to better outcomes for many victims. OVC also proposes to allow States to support services to incarcerated victims (e.g., victims of sexual assault in prison) in most circumstances. The existing Guidelines do not allow such services; however, the change is consistent with the recommendations of the 2009 report by the National Prison Rape Elimination Commission, discussed in more detail below. OVC also proposes allowing States greater flexibility to support transitional housing and relocation expenses using VOCA funds, as such services can lead to better outcomes for many victims (e.g., those abused by a caretaker). OVC proposes allowing States to permit sub-recipients to use VOCA funds for coordination activities, which often allow local organizations to more effectively leverage community resources and provide better and more cost-effective services.

C. Cost and Benefits

As discussed in more detail under the Executive Orders 12866 and 13563—Regulatory Review section below, the proposed rule would clarify and update the existing Guidelines, but would not alter the existing program structure at all. Updating the existing Guidelines to clearly and accurately reflect the statutory parameters will facilitate State compliance with VOCA requirements, and thus avoid potentially costly non-compliance findings. The proposed rule would make only a few substantive changes to the existing Guidelines, and these would be of a permissive, not mandatory, nature. Some changes, like allowing more flexibility to coordinate and leverage community resources, and adopt alternative monitoring strategies, would impose no costs but will potentially allow States to use existing funding more efficiently. Other proposed changes that allow States to allocate funding to services not presently allowable, could change the allocation of VOCA funding amongst victim services provided by sub-recipient organizations, and amongst victim service organizations. Such reallocations of funding, however, are not mandated and each State and territory would make the ultimate decision with regard to whether to change its current funding allocations, if it chooses to do so at all. This is not a change from the present discretion that States have to allocate funding according to State priorities. OVC anticipates that most States will continue to allocate the majority of VOCA funding to victim services for certain types of crimes (intimate partner violence, sexual assault, child abuse) at consistent levels. Any potential reallocations would be relatively minor (even when taken in aggregate across States) in comparison to the overall mix of allowable victim services, and thus they are unlikely to create new costs or significant fund transfers. In any event, the real benefits of additional allowable services for currently underserved and un-served victims are significant.

III. Background

A. Overview

OVC proposes this rule to implement its Victim Assistance Program, a formula grant program authorized by Section 1404 of the Victims of Crime Act of 1984, Public Law 98–473, codified at 42 U.S.C. 10603. This section of VOCA authorizes OVC to provide an annual grant from the Crime Victims Fund to each State and eligible territory for the financial support of services to victims of crime by eligible crime victim assistance programs.

OVC's Victim Assistance Program is funded out of the Crime Victims Fund. The Fund receives Federal criminal fines, penalties, and assessments, as well as certain gifts and bequests, but does not receive any general tax revenue. The Crime Victims Fund is administered by OVC and amounts that may be obligated therefrom are allocated each year according to the VOCA formula at 42 U.S.C. 10601. In recent years, the amount available for obligation via the VOCA formula allocations has been capped by law at less than the total amount available in the Fund. The VOCA formula specifies that (in most years) the first $20M available in the Fund for that year will go toward child abuse prevention and treatment programs, with a certain amount to be carved out for programs to address child abuse in Indian Country. After that, such sums as may be necessary are available to the Federal Bureau of Investigation and the U.S. Attorneys Offices to improve services to victims of Federal crime, and to operate a victim notification system. Whatever is left is allocated as follows: 47.5% for OVC's Victim Compensation Program, 47.5% for OVC's Victim Assistance Program, and the remaining 5% for the OVC Director to distribute in discretionary awards in certain statutorily defined categories. Generally, under the distribution rules for the Victim Compensation Program, if a portion of the 47.5% available for Compensation is not needed for that purpose, it is (per formula) made available to augment the Victim Assistance Program. The Victim Assistance Program distributes funds to the States and eligible territories as mandated by VOCA in 42 U.S.C. 10603. The VOCA statutory distribution formula provides each State with a base amount (presently $500,000 for each State; $200,000 for each eligible territory), and distributes the remainder proportionately based on the State populations.

The proposed rule would supersede the existing VOCA Victim Assistance Program Guidelines that were published in the **Federal Register** on April 22, 1997, at 62 FR 19607. It reflects changes in OVC policy, in the needs of the crime victim services field, and in VOCA itself. OVC invites and welcomes comments from States and territories, organizations and individuals involved in the victim services field, and any other members of the interested public, on any aspects of this proposed

rulemaking. All comments will be considered prior to publication of a final rule.

B. History of This Rulemaking

OVC published the Final Program Guidelines, Victims of Crime Act, FY 1997 Victim Assistance Program on April 22, 1997. Those Guidelines were based on OVC experience with the Victim Assistance Program, legal opinions rendered since the inception of the program in 1986, and comments from the field on the Proposed Program Guidelines published in the **Federal Register** on February 18, 1997. On September 3, 2002, OVC published a notice of Proposed Program Guide at 67 FR 56444, seeking comments to refine the administration of the Victim Assistance Program further; thereafter, however, OVC chose not to issue final guidance to supersede the 1997 Guidelines. After receiving comments on the 2002 proposed guide, OVC instead decided to pursue the publication of codified program regulations rather than merely revise the guideline document. In anticipation of re-starting this rulemaking process, throughout 2010 OVC sought preliminary input from the field regarding improving victim services and potential modifications to the Victim Assistance Program rules that would facilitate such improvement.

C. Discussion of Changes Proposed in This Notice

The 1997 Guidelines have served to assist and guide OVC, State administering agencies, and direct service providers, in administering, distributing, and using VOCA funds to assist victims of crime nationwide. As mentioned above, however, over the sixteen years since their promulgation, the existing Guidelines have been overtaken by changes in the VOCA statute itself, developments in the crime victim services field, as well as technological advancements, and new approaches to State administration of VOCA funding. For example, OVC, through its funding of nationwide training and technical assistance for victim service organizations and the findings of its Vision 21 initiative, which examined the state of the victim services field, as well as through reports of other organizations, such as the Prison Rape Elimination Commission, has become aware of a need for certain types of services and gaps in services for certain types of victims. In particular, OVC wishes to address the need for increased legal services for victims, which is particularly important for human trafficking victims, but also for victims of domestic abuse, identity theft, and other crimes as well. OVC has funded programs providing services for human trafficking victims for more than a decade under the authority of the Trafficking Victims Protection Act of 2000, and, through various evaluation efforts, has gained significant experience in providing effective services for this victim population. OVC wishes to incorporate this experience into the proposed rule to allow States to effectively assist these victims. Likewise, the findings of the Prison Rape Elimination Commission illuminated an acute need for increased victim services for incarcerated victims, and OVC wishes to allow States to address this gap in services. In addition, information technology has advanced significantly since 1997, and the proposed rule would allow victim service providers greater flexibility to use VOCA funding to leverage technology to enhance victim services. For example, informational and outreach efforts via online forums and social networking may be effective and relatively inexpensive ways to reach certain victim populations. In addition, podcasting and digital video sharing enable victim service providers to continually reach victims with enriched information. Videoconferencing using real-time audio and video technology services, administered through a secure, encrypted connection, can deliver confidential, face-to-face assistance. OVC's intent for this proposed rule is to account for developments over the last decade, and to reflect program parameters applicable to each participating entity accurately. In so doing, OVC hopes to allow administering agencies and victim service providers to fully leverage the progress that the field has made over the last decade in knowledge of victim needs, victim service strategies, and efficient program administration, with the end goal of assisting crime victims more effectively.

As a technical and structural matter, the existing Victim Assistance Program Guidelines are not in a format suitable for publication in the Code of Federal Regulations (CFR), and therefore have been re-formatted in this notice to conform to CFR formatting requirements. Moreover, the existing Guidelines are not ideally structured in terms of readability and ease of reference. The proposed rule below attempts to remedy these deficiencies by creating manageable units of information, reorganizing related concepts and rules together more logically, and attempting to use consistent terminology throughout the document.

In addition, the existing Guidelines contain extended repetition of the VOCA statutory language. OVC notes that in several instances this has caused confusion as certain statutory language was changed in subsequent laws (for example, the provisions regarding the percentage of funds that a State may use for training and administration), thereby making obsolete and inaccurate the existing guideline's recitation of the superseded law (as statutory language obviously supersedes an agency's contrary guidance or rule on the same subject pronounced through guideline or regulation). The proposed rule omits repetition of statutory language, except where needed for context and ease of use. OVC notes that the proposed rule is drafted to be read *in conjunction* with the rules and definitions in the applicable section of VOCA (42 U.S.C. 10603).

OVC here proposes several substantive changes to the program Guidelines, although many of the provisions for the Victim Assistance Program set out in the existing Guidelines have been retained in substance. (It should be noted that, as explained above, the text of such provisions may have been reformatted as needed to accommodate the regulatory process and to improve the overall clarity of the document.) The most significant of these substantive proposed changes are discussed below in the order that they appear in the revised document, and with reference to the applicable section of the proposed rule. Cross-references to corresponding sections of the existing Guidelines are provided where possible for ease of comparison.

General Provisions

The proposed rule contains several terms and definitions that are used throughout the document. These are set out in section 94.102 for ease of reference. Notably—

- The definitions of *crime victim (*or *victim of crime)* remains unchanged from the existing guideline; it is meant to be a broad definition, taking into account many kinds of harm resulting from criminal acts.
- The term *State administering agency* (''SAA'') is used to refer to the State or territorial entity receiving victim assistance program funds directly from OVC. This terminology is more descriptive than ''direct grantee'' or ''State grantee'' and is more consistent with terminology used in other formula programs administered by OJP entities.

• OVC has added a definition of the term ''spousal abuse'' that clarifies that the term includes intimate partner violence and dating violence. Spousal abuse was the terminology used in VOCA in the 1980s, but has since fallen out of use in the victim service field. OVC retains the term in the proposed rule because it is still in the statute, but clarifies that OVC understands it to encompass the concepts of intimate partner and dating violence.

• OVC has added a definition of ''victim of child abuse'', to clarify that the term covers a broad variety of harm to children. Child abuse victims are a statutorily mandated priority category, and the clarification will ensure that VOCA-funded State victim assistance programs may support a broad variety of victim assistance projects that address the abuse of children. Many child victims experience poly-victimization, meaning several different kinds of direct victimization or indirect exposure to violence (either as an eyewitness or through other knowledge) over a period of time. Poly-victimization greatly increases children's vulnerability to mental health, behavioral, school performance, and other problems, and can contribute to lifelong challenges for the affected children. In addition, children's exposure to violence—in their homes, schools, or communities—as victims or witnesses, is often associated with long-term physical, psychological, and emotional harm, and can contribute to behavioral problems, including substance abuse, and negative health outcomes. VOCA-funded victim assistance programs may use funding to address these various forms of child abuse. In addition, the definition clarifies that child pornography related offenses are a form of child abuse. OVC intends to permit States the flexibility to fund programs to help these victims, whose needs may arise immediately after the abuse, or much later—for example, upon distribution of images of the abuse. OVC views distribution of such images as a form of re-victimization that States and victim advocates are struggling to address, and seeks comments on this provision.

• The definition of *direct services* remains largely unchanged, except for formatting.

State Administering Agency Program Requirements

Purpose and State administering agency eligibility. Section 94.103(a) is self-explanatory, in that it proposes the purpose of OVC's annual VOCA formula grants to the States and territories. Section 94.103(b) proposes the general rules for State eligibility certifications required by VOCA. It is anticipated that OVC will require that such certifications be submitted along with each State administering agency's annual application for funding (as is the current practice). Reporting and technical requirements specific to a given fiscal year are generally set out in the annual program solicitation, or in supplemental OVC communications if time does not permit publication in the solicitation. Section 94.103(c) clarifies that a State administering agency may award its VOCA funds to another organization to distribute (pass-through administration), and highlights a State administering agency's obligations with regard to use of administrative and training funds, monitoring, and reporting should this method be used.

Eligible sub-recipient programs. Section 94.104 proposes what a State must require of an entity to consider the entity an ''eligible crime victim assistance program.'' The criteria for an ''eligible crime victim assistance program'' are largely set out in VOCA, and the proposed rule merely provides clarifying interpretation needed for practical implementation. The section proposes the types of eligible entities; criteria for determining the organizational capacity of the entity's program; project match requirements that the SAA must require the entity to meet; and mandated use of volunteers (with provision for waiver). An eligible entity must meet the organizational capacity requirements of VOCA, which requires that an eligible entity either have a history of providing direct services to victims in an effective manner and support from non-VOCA funding, or be able to show substantial support from non-VOCA funding. Entities previously not funded with VOCA funding are eligible to apply for VOCA funding. What constitutes an ''effective manner'' will vary depending on the State and community served, the type of victim the entity's services address, the type of services provided, best practices within that service field, and the characteristics of the entity (e.g. small, specialized service provider; larger, comprehensive service provider). The States will determine whether an entity has a history of providing services in an effective manner for each eligible program and should be able to articulate the basis for their determinations. OVC proposes several non-exclusive considerations (which are consistent with the existing Guidelines) that States may wish to take into account in making such determinations. The proposed rule, at 94.104(h), clarifies that the statutory VOCA non-discrimination provisions that apply to any VOCA-funded undertaking, including victim assistance programs, are administered in accordance with the Department of Justice's regulations implementing non-discrimination requirements and the guidance provided by the Office of Civil Rights within the Office of Justice Programs.

SAA Allocation of Subawards. Section 94.105 proposes how State administering agencies must allocate their subawards. OVC's authority to direct the allocation of a portion of each State administering agency's formula assistance award derives from the VOCA requirements (42 U.S.C. 10603(a)(2)(A) and (B)) that the chief executive of each State certify that priority shall be given to eligible programs that assist certain victim populations (specifically victims of sexual assault, spousal abuse, or child abuse), and certify that funds shall be made available for programs that serve underserved populations. Note that the allocations set out in the proposed rule are substantially the same as those set out in the existing guideline (*see* Guideline IV.A.3 and 4); the phrasing of these requirements has merely been re-worked for clarity. Under the proposed rule SAAs must identify underserved categories of victims by the type of crime they experience (such as victims of elder abuse) as well as the characteristics of the victim (such as victims of violent crime in high crime urban areas or Lesbian Gay Bisexual Transgender Queer (LGBTQ) victims). More information about types of crime victim populations will allow OVC and SAAs to better tailor their training and technical assistance and victim assistance programs to the needs of each community and victim population. The proposed rule provides for several exceptions to the required allocations. OVC especially seeks comment on whether the allocation amounts for priority categories, and the allocation amount and method of determining previously underserved populations, remain appropriate.

Section 94.105(e) proposes to require State administrative agencies to fund eligible sub-entities through a competitive process. This is an important new requirement that will support innovation at the direct service level through regular review of approaches to victim assistance services.

SAA Reporting Requirements. Section 94.106 proposes the State administering agency's reporting requirements under OVC's Victim Assistance Program. OVC will continue to require States to submit sub-grant award reports and

performance reports, as well as other reports that are required under Federal grant rules. (Other reports, for example, would include the requirements of the Federal Funding Accounting and Transparency Act, which requires reporting on sub-recipient expenditures where such sub-recipient receives more than $25,000 in grant funds. This reporting is independent of OVC's sub-grant award reports.) As Federal grant rules and technology are constantly in flux, the proposed rule does not specify time or manner in which these reports are to be submitted—it is anticipated that OVC will communicate the technical details of each year's reporting requirements to grantees via annual program solicitations and supplemental guidance.

SAA Monitoring Plans. Section 94.107 sets out the State administering agency's obligation to monitor its sub-awards. In addition to the current monitoring plans adopted by a State administering agency (which includes regular desk monitoring of all sub-awards and on-site monitoring of all sub-recipients at least every two years), the proposed rule will permit, upon OVC review and approval, alternative monitoring procedures from State administering agencies. An example of an alternative procedure that has been implemented at the Federal level is a risk assessment model to determine the level of monitoring necessary for various sub-recipients. OVC recognizes that certain sub-recipients may have a long established history of appropriately administering a sub-award and may therefore require less intensive scrutiny than a relatively new sub-recipient or an established sub-recipient providing new services.

Programmatic oversight. Section 94.108 proposes the State administrative agency's responsibilities with regard to programmatic oversight of sub-awards. This section proposes to consolidate various rules and considerations that are currently found throughout the existing guideline. Among the topics addressed are the following:

- Leasing vehicles. The SAA may authorize sub-recipients to lease vehicles, but only upon a showing that each such vehicle is essential for the delivery of victim services.
- Faith-based and neighborhood organizations. Faith-based and neighborhood organizations are valued partners for government. They support and assist victims in countless ways. In keeping with our values and our laws, the Federal Government has issued specific guidance for programs in which faith-based and neighborhood organizations may receive Federal aid to ensure that those programs are implemented in accordance with the Establishment Clause and the Free Exercise Clause of the First Amendment to the United States Constitution. The proposed rule provides a reference to the Department of Justice regulation that implements this guidance and that applies to entities funded through this program.
- Crime victim compensation agencies. A State may use victim assistance funding for services provided by its State victim compensation staff where such services are direct services and outside of that staff's normal duties.
- SAA use of VOCA funds to provide direct services, and limits on the amount of funds that SAAs may use for these purposes.
- Funding victim service programs located in adjacent States.

Program income. Section 94.109 proposes the rules that State administering agencies must use when considering whether sub-recipients may generate program income. It is OVC's longstanding view that victim services provided with VOCA funds should be free of charge for victims where possible, though OVC recognizes that in some situations a service provider may be justified in charging for services or otherwise generating program income.

State Administering Agency Use of VOCA Funds for Administration and Training

The existing Guidelines are inaccurate with regard to the allocation of VOCA grant funds for SAA administration and training purposes, as VOCA was amended after the issuance of the 1997 guidance. VOCA now prohibits grantees from using more than five percent of their annual OVC Victim Assistance Program funds for administrative and training purposes. This means that SAAs must allocate this five percent between both administration and training purposes; SAAs are not allowed to use five percent for administration and an additional five percent for training. Sections 94.110 through 94.113 detail allowable uses of and necessary recordkeeping for, administration and training funds. These sections also address non-supplantation requirements as applicable to administrative and training funds, as well as indirect cost rates.

Sub-Recipient Program Requirements

Purpose. Section 94.114 proposes the purpose of VOCA sub-awards.

Sub-recipient requirements. Section 94.115 proposes the requirements to which sub-recipients must adhere. These requirements include—

- Using volunteers
- Promotion of community efforts to aid crime victims
- Assistance to victims in applying for compensation
- Compliance with all State requirements
- Providing services at no charge unless permitted by the SAA to generate program income

Sub-recipient project match requirements. Section 94.116 proposes the project match requirements applicable to activities undertaken by sub-recipients of VOCA formula victim assistance funds. These proposed match requirements are the same as those in the existing Guidelines. Each sub-recipient must contribute at least twenty percent of the total cost of each project, unless an exception applies. Requiring sub-recipients to provide matching funds serves to ensure that sub-recipients are invested and engaged in the project strategy. U.S. territories and possessions are exempt from match, as resources in these communities are often not available for match, and therefore a match requirement is counterproductive to the goal of increasing the availability of victim services in a community. OVC proposes to eliminate the current 5% match requirement for American Indian and tribal organizations for the same reason. OVC specifically seeks comment on whether this amount of minimum match (20%) for sub-recipients and no match requirement for possessions, territories, and tribal sub-recipients is reasonable and beneficial to the goal of developing effective and financially stable victim services. OVC also specifically seeks comment on professional services used as match and how such services should be valued for reporting purposes.

Sub-Recipient Allowable and Unallowable Costs

Allowable costs. Section 94.117 proposes allowable costs for which sub-recipient entities may obligate and expend VOCA formula victim assistance funds when providing direct services. Most of these allowable costs (and the parameters under which the direct services may be provided) are essentially the same as those in the existing Guidelines. The following activities, however, have been added or significantly modified in the proposed rule:

- *Legal assistance for victims.* The proposed rule leaves unchanged the provision in the current Guidelines allowing sub-recipients to use VOCA funds for emergency legal assistance to ensure a victim's immediate physical and psychological health and safety—including, but not limited to, assistance

filing for restraining orders, protective orders, and obtaining emergency custody orders and visitation rights. The proposed rule would add a provision under the sub-recipient allowable and unallowable costs provisions, also allowing VOCA funds to be used outside of the context of an emergency, for reasonable legal assistance services where the need for such arises as a direct result of a person's victimization. The proposed rule contemplates two contexts where this may occur—legal assistance to assert a victim's rights or protect a victim's safety, privacy, or other interests, in a criminal proceeding directly related to the person's victimization; and civil legal assistance where the need for such assistance arises as a direct result of a person's victimization.

The proposed rule offers several examples of circumstances under which legal services may be appropriate as victim assistance and supported with VOCA funding. It also clarifies that criminal defense, tort suits, and divorce proceedings generally are not allowable costs. It is important to note that the proposed rule merely *permits* the use of VOCA funding for legal services—it does not mandate that such services be provided. OVC recognizes that the available resources in each State and territory differ, and, therefore, each jurisdiction retains broad discretion to set limits on the type and scope of legal services that it allows its sub-recipients to provide with VOCA funding. OVC seeks comments addressing any aspect of permitting or not permitting the use of VOCA funds for legal services for victims, and the scope of such services.

• *Services to incarcerated individuals.* The existing Guidelines do not allow OVC Victim Assistance Program funds to be used for rehabilitative services or support services to incarcerated individuals (*see* Guidelines, section IV.E.3.b). In 2003, however, the Prison Rape Elimination Act (PREA) established an independent commission to examine the issue of prison rape in prisons, jails, and juvenile detention facilities nationwide, and to recommend actions for reducing rates of prison rape. The National Prison Rape Elimination Commission's report was released in 2009. One of the recommendations was that the prohibition on providing VOCA-funded victim services to incarcerated victims be removed, so that incarcerated victims of sexual assault in detention/correctional facilities might have additional resources available to address victimization-related needs.

With this in mind, OVC is proposing a provision specifically allowing for VOCA-funded victim service providers to serve incarcerated individuals, provided that the incarcerated individual is a victim, the service addresses issues directly arising from the victimization, and the need for such services does not directly arise from the crime for which that individual was incarcerated. For example, under the proposed rule a State could choose to fund a service provider to provide mental health services to an individual incarcerated for illegal distribution of drugs who is a victim of sexual assault while so incarcerated. By contrast, VOCA funding could not be used to support medical or mental health services relating to a pre-incarceration assault of that individual by a co-conspirator for not dividing up in an equitable manner the proceeds from sales of illegal drugs.

It is important to note that a person who is targeted and victimized while incarcerated because of the crime for which he is incarcerated (e.g., a person imprisoned for child abuse who is subsequently sexually assaulted by other inmates) would not be excluded from receiving VOCA-funded assistance.

In addition, VOCA victim assistance does not cover non-emergency medical costs—therefore, it is anticipated that the majority of any costs incurred for services to incarcerated victims would be related to forensic exams for sexual assault victims and mental health services to address the consequences of a victimization.

Finally, the rule does not mandate that States make funding available for services to incarcerated victims, but rather, merely permits them to do so. OVC anticipates that State administering agencies will make their own determinations regarding the appropriate delegation of responsibility (and fiscal burden) between victim service agencies/organizations and detention/correctional facilities with regard to caring for this victim population. OVC welcomes comments on any aspect of this proposed rule provision.

• *Transitional housing.* OVC recognizes that transitional housing is a necessary victim expense for certain types of victims—for example, victims of human trafficking, victims with a disability abused by caretakers, and victims of domestic violence and their dependents. The existing guideline limits VOCA funding for transitional housing (*see* Guidelines sections IV.E.1.a and IV.E.3.i). The proposed rule would allow States the flexibility to permit sub-recipients to provide transitional housing to victims, and would permit the State to set limits on time and types of victims that might be eligible for such housing. Under the proposed rule, States may use VOCA funds for housing and shelter purposes to the extent that such housing is related to the individual's victimization. For example, shelters for victims of domestic violence or human trafficking would be allowable uses of VOCA funds because the victims have been taken away from or forced out of their housing by the nature of their victimization. States would be allowed to use VOCA funds to support transitional housing expenses, including travel; rental assistance; first month deposit; utilities; support services, such as childcare; and counseling. To the extent State administering agencies choose to permit VOCA funds to be used for transitional housing purposes, OVC anticipates that these agencies would focus on those victims with the most need, such as victims of human trafficking, minor victims, victims with disabilities, and victims of domestic violence.

• *Relocation expenses.* The rule proposes to allow States to use VOCA funding to pay relocation expenses for victims to preserve life, safety and well-being of victims, including, but not limited to, domestic violence victims, children, victims of sexual assault, victims of stalking, and victims of trafficking. Relocation expenses for crime victims must be reasonable, and may include, but are not limited to, moving expenses, security deposits on housing, rental and mortgage assistance, and utility startup.

• *Traditional/Alternative Healing.* The proposed rule would allow sub-recipients to provide traditional/alternative healing methods, and participation in Native American traditional healing ceremonies, if allowed by the State administering agency.

Costs to Support Direct Services. Section 94.118 proposes certain activities that *support* direct services for crime victims and that are expenses for which sub-recipients may obligate and expend VOCA funds. Generally, under VOCA (42 U.S.C. 10603(b)(2)), OVC formula victim assistance funding may only be used by sub-recipients for services to victims of crime. The existing Guidelines hold to this general rule somewhat strictly, in that they limit the use of funds available for coordination and oversight at the sub-recipient level. Over the last decade, however, it has become apparent that coordination and oversight activities are desirable and may in many cases improve the provision of direct victim services. The proposed rule reflects this recognition, and gives State

administering agencies the latitude to allow sub-recipients to use VOCA funds for coordination activities, including supervisory coordinator positions, supervising staff where necessary and permitted by the State administering agency, and the support of costs to facilitate multi-system/interagency/multi-disciplinary responses to crime victims. In contrast to the existing guideline, this section also permits sub-recipients to contract for professional services not available within the sub-recipient organization, as well as for automated systems and technology, where these contracts, systems, and technology support delivery of direct services to victims. The proposed rule also allows for the use of direct service funding in certain circumstances to train direct service providers, including Court Appointed Special Advocate (CASA) volunteers and clinical social workers. The proposed rule clarifies that use of direct service funds for such trainings are permissible when the funded entity provides direct services predominantly through the use of volunteers (as opposed to paid staff). The use of direct service funds to support training and coordination of volunteer services in such circumstances is appropriate, as it typically allows funded organizations to cost-effectively leverage the available funds and volunteer efforts to provide more direct services for victims. The rule provides examples of permissible uses within each such category so that State administering agencies will be able to more easily make allowability determinations by analogy. Finally, the proposed rule allows sub-recipient direct costs to include emergency costs of non-prescription and prescription medicine, prophylactic treatment to prevent HIV/AIDS infection, durable medical devices and equipment, and other health care items, if those items cannot be funded through an alternative source within 48 hours of the crime.

Allowable Sub-recipient Administrative Costs. Section 94.119 proposes allowable sub-recipient administrative costs. These costs should be substantively the same as those in the existing Guidelines.

Unallowable costs. Section 94.120 proposes non-allowable sub-recipients costs. The majority of these are the same as those in the existing Guidelines, with the following exceptions:

• *Perpetrator rehabilitation and counseling.* The rule prohibiting use of VOCA funds for perpetrator rehabilitation and counseling has been modified to reflect that certain incarcerated individuals who have perpetrated criminal acts may also have pre-existing victim service needs unrelated to their crime, or may become victims while incarcerated. (This is a corresponding change reflecting the proposed rule in section 94.117 that would permit VOCA funding to be used for victim services for incarcerated individuals where the need for services does not directly arise from the individual's criminal acts.) As indicated above, OVC specifically seeks comment on this aspect of the proposed rule.

• *Victim attendance at conferences.* The structure of the rule should better address the concern that States are prohibited from funding victim attendance at crime victim service related conferences. The proposed rule would only prohibit sub-recipient organizations from obligating and expending funds for this purpose—a State administering agency that chooses to hold a training conference at which a victim is invited to speak would not be prohibited from using VOCA funds to pay for the travel costs of that individual, provided that such travel is allowable under the State rules and the expense is counted against the State's training and administrative set-aside.

III. Regulatory Certifications

Regulatory Flexibility Act

In accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), the Office for Victims of Crime has reviewed this regulation and, by approving it, certifies that it will not have a significant economic impact on a substantial number of small entities. The OVC Victim Assistance Program distributes funding to States and eligible territories pursuant to the VOCA formula, a statutory provision, which is not affected by this regulation. The VOCA formula sets out the allocation of grant funds among States and territories, and designates the States and territories that will receive grant funds—the regulation alters neither the allocation of Federal funding, nor the designation of which entities will receive annual funding pursuant to that allocation. Moreover, VOCA affords substantial latitude to the States and territories in determining where to allocate the formula funding within each jurisdiction. This rule, to the extent that it creates certain set asides and permissible areas of emphasis for State victim assistance programs, only applies to federally provided funding. As a rule governing a Federal grant program to States and major U.S. territories, the only economic impact on small entities is that of potential financial assistance, as the rule would not apply to any entity that was not a recipient of VOCA funding under this program. This regulation, therefore, will not have a significant economic impact on a substantial number of small entities.

Executive Orders 12866 and 13563—Regulatory Review

This regulation has been drafted and reviewed in accordance with Executive Order 12866, ''Regulatory Planning and Review'' section 1(b), Principles of Regulation, and in accordance with Executive Order 13563 ''Improving Regulation and Regulatory Review'' section 1(b), General Principles of Regulation.

The Office of Justice Programs has determined that this rule is a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review, and accordingly this rule has been reviewed by the Office of Management and Budget.

Executive Order 13563 directs agencies to propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs; tailor the regulation to impose the least burden on society, consistent with obtaining the regulatory objectives; and, in choosing among alternative regulatory approaches, select those approaches that maximize net benefits. Executive Order 13563 recognizes that some benefits and costs are difficult to quantify and provides that, where appropriate and permitted by law, agencies may consider and discuss qualitative values that are difficult or impossible to quantify, including equity, human dignity, fairness, and distributive impacts.

The proposed rule would clarify and update the existing Guidelines, but would not alter the existing program structure at all. Updating the existing Guidelines to clearly and accurately reflect the statutory parameters will facilitate State compliance with VOCA requirements, and thus avoid potentially costly non-compliance findings. The proposed rule would make only a few substantive changes to the existing Guidelines, and these would be of a permissive, not mandatory, nature. Some changes, like allowing more flexibility to coordinate and leverage community resources, and adopt alternative monitoring strategies, would impose no costs but will potentially allow States to use existing funding more efficiently. Other proposed changes that allow States to allocate funding to services not presently allowable, could change the allocation of VOCA funding amongst victim services provided by sub-recipient organizations, and amongst

victim service organizations. Such reallocations of funding, however, are not mandated and each State and territory would make the ultimate decision with regard to whether to change its current funding allocations, if it chooses to do so at all. This is not a change from the present discretion that States have to allocate funding according to State priorities. Any potential reallocations would be relatively minor (even when taken in aggregate across States) in comparison to the overall mix of allowable victim services, and thus they are unlikely to create new costs or significant fund transfers. In any event, the benefits of additional services for underserved and un-served victims are significant.

The proposed requirement to periodically compete subawards may impose minimal costs associated with administering a competition at least every five years, but these costs are outweighed by the gains in both program effectiveness and cost efficiency that competition would create. The proposed provision allowing alternative risk-based monitoring procedures imposes no new costs on States that choose to retain their existing procedures, but will allow States that wish to implement more cost effective alternatives to do so.

The proposed elimination of match for American Indian and tribal organizations will permit victim service organizations in these communities, many of which do not have the resources to provide matching funds, the ability to more easily seek VOCA funding for victim services. This will benefit victims in these communities, many of whom are underserved. This change is unlikely to impose new costs on States or territories, as there is no requirement that the administering agencies fund American Indian or tribal organizations at a particular level, and the amount of funding allocated to these organizations is a very small percentage of overall VOCA funding.

All of the proposed changes to the provisions governing allowable and unallowable costs are in the nature of granting States additional flexibility to fund certain activities. None of the changes would require States to expend additional funding in any area, or change funding allocations. Moreover, the changes, while important, are relatively minor when compared to the entire scope of costs allowable with VOCA funding. Consequently, to the extent that States choose to fund the newly allowable victim services (e.g., increased time allowed in transitional housing), the reallocation of funding will not result in a significant reallocation of overall funding, given the small number of newly allowable services when compared to the overall mix of allowable victim services. In addition, it is not certain which States will permit what additional services if given the flexibility to do so, and to what extent, as these decisions typically are often made through State legislative or administrative processes and address considerations unique to each State. The important benefit of such potential minor reallocations of resources, whether within organizations that presently receive VOCA funding and will provide augmented services, or (in the less common case) to new organization, would be that previously underserved or un-served victims would receive needed assistance.

Executive Order 13132—Federalism

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government, as the relationship between the States and territories and the national government, for purposes of this program, is set out primarily in the statutory law, not this regulation. Therefore, in accordance with Executive Order No. 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12988—Civil Justice Reform

This rule meets the applicable standards set forth in sections 3(a) & (b)(2) of Executive Order No. 12988. Pursuant to section 3(b)(1)(I) of the Executive Order, nothing in this or any previous rule (or in any administrative policy, directive, ruling, notice, guideline, guidance, or writing) directly relating to the Program that is the subject of this rule is intended to create any legal or procedural rights enforceable against the United States, except as the same may be contained within subpart B of part 94 of title 28 of the Code of Federal Regulations.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. The VOCA Victim Assistance Program is a formula grant program that provides funds to States to provide financial support to eligible crime victim assistance programs. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Paperwork Reduction Act

This proposed rule does not propose any new, or changes to existing, ''collection[s] of information'' as defined by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, et seq.) and its implementing regulations at 5 CFR Part 1320. The existing collections (VOCA Victim Assistance Grant Program State Performance Report, 1121–0115, and OVC Subgrant Award Report, 1121–0142) have both been cleared by the Office of Management and Budget.

List of Subjects in 28 CFR Part 94

Administrative practice and procedure, victim assistance, formula grant program, Victims of Crime Act (VOCA) of 1984.

Accordingly, for the reasons set forth in the preamble, part 94 of chapter I of Title 28 of the Code of Federal Regulations is proposed to be amended as follows:

PART 94—CRIME VICTIM SERVICES

■ 1. The authority citation for part 94 is revised to read as follows:

Authority: 42 U.S.C. 10603, 10603c, 10604(a), 10605.

■ 2. Add subpart B to read as follows:

Subpart B—VOCA Victim Assistance Program

General Provisions

Sec.
94.101 Purpose; future guidance; construction and severability.
94.102 Definitions.

State Administering Agency Program Requirements

94.103 Purpose of State-level VOCA funding; State administering agency eligibility.
94.104 Eligible crime victim assistance programs.

94.105 Allocation of subawards.
94.106 Reporting requirements.
94.107 Monitoring requirements.
94.108 Programmatic oversight of subawards.
94.109 Sub-recipient program income.

State Administering Agency Use of VOCA Funds for Administration and Training

94.110 Administration and training.
94.111 Special considerations for administrative costs.
94.112 Allowable administrative costs.
94.113 Allowable training costs.

Sub-Recipient Program Requirements

94.114 Purpose of VOCA sub-awards.
94.115 Sub-recipient program requirements.
94.116 Project match requirements.

Sub-Recipient Allowable/Unallowable Costs

94.117 Direct service costs.
94.118 Other costs for activities supporting direct services.
94.119 Sub-recipient administrative costs.
94.120 Expressly non-allowable sub-recipient costs.

General Provisions

§ 94.101 Purpose; future guidance; construction and severability

(a) *Purpose.* The purpose of this subpart is to implement and interpret the provisions of VOCA, at 42 U.S.C. 10603, which, as of the date of this regulation, authorizes the Director to make annual grants to the chief executive of each State and eligible territory for the financial support of eligible crime victim assistance programs. VOCA sets out the statutory requirements governing this financial support to such programs, and should be read in conjunction with this regulation.

(b) *Future guidance.* Pursuant to VOCA at 42 U.S.C. 10604(a), the Director may establish such rules, regulations, Guidelines, and procedures as are necessary to carry out any function of the Director under VOCA. Pursuant to this authority, the Director may from time to time prescribe clarifying guidance for VOCA grant recipients and sub-recipients on the application of these regulations.

(c) *Construction and severability.* Any provision of this subpart held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable from this part and shall not affect the remainder thereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

§ 94.102 Definitions

Crime victim or victim of crime means a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime.

Director means the Director of OVC.

Direct services are efforts that—

(1) Respond to the emotional and physical needs of crime victims;

(2) Assist victims of crime to stabilize their lives after victimization;

(3) Assist victims to understand and participate in the criminal justice system; or

(4) Restore a measure of security and safety for the victim (for example, by replacing or repairing broken windows, doors, and locks).

OVC means the Office for Victims of Crime, within the United States Department of Justice's Office of Justice Programs.

Spousal abuse includes intimate partner violence and dating violence.

State administering agency or *SAA* is the governmental unit designated by the chief executive of a State or territory to administer VOCA funds.

Victim of child abuse means a victim of crime, where such crime involved an act or omission considered child abuse under the law of the jurisdiction of the relevant State administering agency. In addition, for purposes of this program, victims of child abuse may include, but are not limited to, victims of crime involving child physical, sexual, or emotional abuse; victims of child pornography related offenses; victims of child neglect; victims of commercial sexual exploitation of children; and children who are exposed to or witness violence.

VOCA means the Victims of Crime Act of 1984, Public Law 98–473 (Oct. 12, 1984), as amended.

State Administering Agency Program Requirements

§ 94.103 Purpose of State-level VOCA funding; State administering agency eligibility.

(a) *Direct services.* VOCA funds shall be available to the State administering agency only for subawards to eligible crime victim assistance programs that provide direct services to victims of crime, unless such funds are otherwise available to the State administering agency for training or administrative costs, or for its own direct service programs, as allowable under this subpart.

(b) *State administering agency eligibility.* State administering agencies must meet the criteria set forth in VOCA, at 42 U.S.C. 10603(a)(2). Generally, these criteria require that the chief executive of the State or territory (or a designee, under VOCA, at 42 U.S.C. 10603(d)(5)) certify (as set out in VOCA, at 42 U.S.C. 10603(a)(2)) that—

(1) Priority will be given to programs providing assistance to victims of sexual assault, spousal abuse, or child abuse;

(2) Funds will be made available to programs serving previously underserved victims; and

(3) VOCA funding will not supplant State and local funds otherwise available for crime victim assistance.

Such certifications shall be submitted annually in such form and manner as may be specified by the Director from time to time. In making their certifications, State administering agencies shall follow the rules regarding priority areas, underserved victims, and non-supplantation set out below.

(c) *Pass-through administration.* State administering agencies have broad latitude in structuring their administration of VOCA funding. VOCA funding may be administered by the State administering agency itself, or by other means, including using pass-through entities (such as coalitions of victim service providers) to make determinations regarding award distribution and to administer funding. State administering agencies that choose to use a pass-through mechanism shall ensure that such a mechanism does not bypass the statutory limitation on use of administrative and training funds, that reporting of activities at the direct service level is equivalent to what would be provided if the State administering agency were directly overseeing sub-awards, and that an effective system of monitoring sub-awards is used.

§ 94.104 Eligible crime victim assistance programs.

(a) *In general.* Eligible crime victim assistance programs include those that provide services to victims of crime, and meet the requirements of VOCA, at 42 U.S.C. 10603(b)(1)(A) through (F), as provided in this section.

(b) *Types of entities.* State administering agencies may fund subawards only to programs operated by public agencies or nonprofit organizations (including tribal public agencies and tribal nonprofit organizations), or by combinations thereof.

(c) *Organizational capacity of the program.* State administering agencies shall require that each crime victim assistance program demonstrate to the satisfaction of the State administering agency that it has either a record of effective services to victims of crime and support from non-VOCA funds, or

substantial financial support from non-VOCA funds.

(d) *Record of effective services to victims of crime and support from non-VOCA funds.* For purposes of this section, in determining whether a program has demonstrated a record of effective services to victims of crime and has support from non-VOCA funds, State administering agencies may take into account considerations such as (but not limited to)—

(1) The support and approval of a program's services by the community;

(2) The program's history of providing direct services in a cost-effective manner; and

(3) Financial support from sources other than VOCA.

(e) *Substantial financial support from non-VOCA funds.* For purposes of this section, a program has substantial financial support from non-VOCA funds when at least twenty-five percent of the program's funding in the year of, or the year preceding, the award consists of non-VOCA funds. Substantial financial support may include support from other Federal funding programs. A program may count the funding used to demonstrate non-VOCA substantial financial support toward its project match requirement, provided that this funding is non-Federal (or meets the OJP Financial Guide exceptions for using Federal funding for match).

(f) *Project match requirement.* State administering agencies shall require that crime victim assistance programs agree to, and meet, the project match requirements set out in § 94.116, unless a program falls under one of that section's exceptions to match, or that program is given written approval from OVC to deviate from the match requirements (upon a request from or with the concurrence of the State administering agency to OVC).

(g) *Mandated use of volunteers; waiver.* State administering agencies shall require that crime victim assistance programs utilize volunteers (to the extent determined by the State administering agency) in order to be eligible for VOCA victim assistance funds. The chief executive of the State (who may act through the State administering agency) may waive this requirement, provided that the program submits written documentation of its efforts to recruit and maintain volunteers, or otherwise demonstrate why circumstances prohibit the use of volunteers, to the satisfaction of the chief executive.

(h) *Discrimination prohibited.* The VOCA non-discrimination provisions specified at 42 U.S.C. 10604(e) shall be implemented in accordance with 28 CFR part 42, and guidance from the Office for Civil Rights within the Office of Justice Programs.

§ 94.105 Allocation of subawards.

(a) *Directed allocation of forty percent overall.* State administering agencies shall set aside an overall total of forty percent of each year's VOCA grant for subawards to eligible crime victim assistance programs that serve priority categories of crime victims and previously-underserved categories of crime victims, as specified below in paragraphs (b) and (c) of this section, unless the Director permits the State administering agency to deviate from all or part of these allocations under one of the exceptions in paragraph (d) of this section.

(b) *Priority Categories of Crime Victims (thirty percent total).* State administering agencies shall allocate a minimum of ten percent of each year's VOCA grant to each of the three categories of victims specified in the certification requirement in VOCA, at 42 U.S.C. 10603(a)(2)(A), which, as of the date of this regulation, includes victims of

(1) Sexual assault,

(2) Spousal abuse, and

(3) Child abuse.

(c) *Previously underserved category (ten percent total).* State administering agencies shall allocate a minimum of ten percent of each Federal fiscal year's VOCA grant to underserved victims of violent crime, as specified in VOCA, at 42 U.S.C. 10603(a)(2)(B). To meet the underserved requirement, State administering agencies shall identify crime victims by the type of crime they have experienced as well as the characteristics of the victim. These underserved victims may include, but are not limited to, victims of Driving Under the Influence (DUI)/Driving While Intoxicated (DWI) crashes; survivors of homicide victims; victims of physical assault; adults molested as children; victims of elder abuse, robbery, hate and bias crimes, kidnapping; child victims and adult survivors of child pornography; child victims of sex trafficking; victims of violent crime in high crime areas; and LGBTQ victims.

(d) *Exceptions to required allocations.* Each State administering agency shall allocate each Federal fiscal year's VOCA grant as specified above, unless the Director approves a different allocation, pursuant to a written request from the agency that demonstrates (to the satisfaction of the Director) that—

(1) A priority category is currently receiving significant amounts of financial assistance from the State or other sources;

(2) A smaller amount of financial assistance, or no assistance, is needed for a particular priority category or previously underserved victims from the VOCA victim assistance grant program; or

(3) Crime rates for a priority category do not justify the required allocation.

(e) *Mandate to compete funding to sub-recipients.* Each State administering agency shall award funds through a competitive process, including long-term and/or ongoing projects. All subawards for victim assistance projects funded by VOCA should be re-competed at least every five years.

§ 94.106 Reporting requirements.

(a) *Subgrant award reports.* State administering agencies shall submit (in such form and manner as may be specified by the Director from time to time) a Subgrant Award Report (SAR) to OVC for each project that receives VOCA funds, within ninety days of the subaward date. If SAR information changes before the end of the project period, the State administering agency shall revise and resubmit the SAR within thirty days of the change.

(b) *Performance report.* State administering agencies shall submit (in such form and manner as may be specified by the Director from time to time) a Performance Report to OVC by the date specified by OVC. The Performance Report shall cover the previous Federal fiscal year's active grants.

(c) *Other reports.* OVC may from time to time request that State administering agencies submit supplemental information or reports, as it may determine to be advisable.

§ 94.107 Monitoring requirements.

(a) *Monitoring plan.* Except as provided in paragraph (d) of this section, State administering agencies shall develop a monitoring plan in accordance with the requirements of this section.

(b) *Monitoring frequency.* State administering agencies shall conduct regular desk monitoring of all subawards. In addition, agencies shall conduct on-site monitoring of all sub-recipients a minimum of once every two years during the grant cycle.

(c) *Recordkeeping.* State administering agencies shall maintain a copy of site visit results and other documents related to compliance.

(d) *Alternative monitoring procedure.* State administering agencies may submit to OVC for approval an alternative monitoring plan that differs

from that described in paragraph (a) of this section. Such monitoring plan may use risk assessment to determine the level of scrutiny and priority for conducting monitoring of sub-recipients. Any alternative monitoring plan must be approved by OVC prior to implementation.

§ 94.108 Programmatic oversight of subawards.

State administering agencies shall ensure that VOCA sub-recipients obligate and expend funds in accordance with §§ 94.117 through 94.120, which set out allowable and unallowable costs under VOCA subawards. In addition, State administering agencies shall refer to the following rules when overseeing subawards that involve the following entities or activities:

(a) *Leasing vehicles.* No State administering agency may authorize a sub-recipient to lease vehicles using VOCA funds unless the sub-recipient substantiates an essential need for the expenditure to deliver services to crime victims.

(b) *Faith-based and neighborhood organizations.* State administering agencies shall ensure that sub-recipients comply with all applicable Federal rules governing use of Federal funding by faith-based and neighborhood organizations, including 28 CFR part 38.

(c) *Crime victim compensation programs.* State administering agencies may provide VOCA victim assistance funding to compensation programs only for the purpose of providing direct services to crime victims that extend beyond the essential duties of the staff administering the compensation program. These services may include crisis intervention; counseling; and providing information, referrals, and follow-up for crime victims.

(d) *Direct-service programs run by State administering agencies.* A State administering agency may use no more than ten percent of its annual VOCA grant to operate its own program that provides direct services to victims of crime, unless the Director approves a different allocation in writing. The State administering agency's direct-services program shall adhere to the allowable/unallowable cost rules in §§ 94.117 through 94.120. VOCA funds used under this paragraph remain subject to the rules for State administering agency use of VOCA funds for administration and training in VOCA, at 42 U.S.C. 10603(b)(3), and in §§ 94.110 through 94.113.

(e) *Victim service organizations located in an adjacent State.* State administering agencies may award VOCA victim assistance funds to otherwise eligible crime victim assistance programs that are physically located in an adjacent State. In making such awards, the State administering agency shall—

(1) Ensure that any such award is an efficient and cost-effective way to provide services to victims who reside in the awarding State;

(2) Ensure that the amount of the award is proportionate to the number of victims in the awarding State that will be served by the adjacent State program; and

(3) Enter into an interstate agreement with the adjacent State to address provision of services, monitoring, auditing Federal funds, overseeing compliance, and reporting.

§ 94.109 Sub-recipient program income.

(a) *Prior authorization required.* Services provided by VOCA sub-recipients shall be provided at no charge to victims served, unless the State administering agency grants prior authorization to the sub-recipient to generate program income.

(b) *Consideration for authorization of program income.* The State administering agency should weigh the following considerations prior to permitting a sub-recipient to charge fees or otherwise generate program income:

(1) The sub-recipient's justification for charging for services or otherwise generating program income in light of the particular project's objectives, and the overall purpose of victim assistance programs; and

(2) The sub-recipient's ability to track program income generated in accordance with Federal financial accounting requirements.

(c) *Uses of program income.* State administering agencies shall ensure that each sub-recipients' VOCA-funded program income be restricted to the same uses as the VOCA grant, and that the resulting income be obligated and expended during the grant period in which the income is generated.

State Administering Agency Use of VOCA Funds for Administration and Training

§ 94.110 Administration and training.

(a) *Amount.* A State administering agency may not use more than the amount prescribed by VOCA for training and administration. At the time of this regulation, the amount was five percent of a State's annual VOCA award.

(b) *Notification.* State administering agencies shall notify OVC of their decision to use VOCA funding for administrative or training costs at the time of application for VOCA grant funds, or within thirty days of a decision to use such funds. Such notification shall indicate what portion of the five percent allowance will be allocated for training and what portion for administration.

(c) *Availability.* State administering agencies shall ensure that each training and administering activity funded by the VOCA award occurs within the project period.

(d) *Documentation.* State administering agencies shall maintain sufficient records to substantiate the expenditure of administrative and training funds.

§ 94.111 Special considerations for administrative costs.

(a) *Proportionate allocation of costs to the VOCA grant.* Any administrative costs (*e.g.,* equipment purchases by the State administrative agency) charged to the VOCA award may be charged only in proportion to the percentage of use that may be allocated to the State's crime victim assistance program. This rule applies only to State administering agencies, not to sub-recipients.

(b) *Baseline for administrative costs.* If a State administering agency uses VOCA funds for administrative costs, it shall—

(1) Establish and document a baseline level of non-VOCA funding required to administer the State victim assistance program prior to expending VOCA funds for administrative costs; and

(2) Notify OVC if there is a decrease in the State's financial commitment to the cost of administering the State's crime victim assistance program.

(c) *Non-supplantation requirement.* In keeping with VOCA, at 42 U.S.C. 10603(a)(2)(C) (prohibiting supplantation of State funds with the Federal grant), a State will be understood to have supplanted if it decreases its previous financial commitment toward the administration of its victim assistance program, and Federal funds are used to maintain the baseline level of administrative funding. States will not be in violation of the prohibition on supplanting where—

(1) A serious loss of State revenue results in across-the-board budget restrictions, or

(2) A State decreases the number of State-supported staff positions used to meet the State's maintenance of effort in administering the VOCA grant program.

(d) *Indirect cost rates.* The State administrative agency may charge a federally-approved indirect cost rate to this grant, provided it does not exceed the five percent statutory cap on administrative (and training) costs for the State administering agency.

§ 94.112 Allowable administrative costs.

State administering agencies may use VOCA funds to support administrative costs as provided in VOCA, at 42 U.S.C. 10603(b)(3). Only those costs directly associated with administering the State administering agency's program and training its staff, enhancing overall program operations, and ensuring compliance with Federal requirements may be reimbursed with administrative grant funds. These costs generally include the following:

(a) *Salaries and benefits.* Salaries and benefits for State administering agency staff and consultants to administer and manage the financial and programmatic aspects of the VOCA victim assistance grant. As noted above, administrative funds may only be used to support the portion of staff time that is devoted to the State-level VOCA assistance program.

(b) *Training.* Travel, registration fees, and other expenses associated with State administering agency staff attendance at OVC-sponsored and other technical assistance meetings and conferences that address issues and concerns to State administration of victim assistance programs.

(c) *Monitoring compliance.* State administering agencies use of administrative funds to monitor compliance of VOCA sub-recipients with Federal and State requirements, provide technical assistance, and/or evaluation and assessment of program activities, including travel, mileage, and other associated expenses.

(d) *Reporting.* State activities necessary to meet Federal and State reporting requirements concerning the VOCA victim assistance grant program.

(e) *Program evaluation.* Surveys or studies that inform the grantee of the impact or outcome of services received by crime victims.

(f) *Program audit costs.* State activities necessary to meet Federal audit requirements concerning the VOCA victim assistance grant program.

(g) *Technology.* Including the study, design, and implementation of grant management systems, Web page construction and maintenance, Geographic Information Systems, and other automated systems that further the administration of VOCA victim assistance funds; purchase and maintenance of equipment for the State administering agency, including computers, software, fax machines, copying machines, and TTY/TDDs; and services required to support technology.

(h) *Memberships.* Memberships in crime victims organizations and the purchase of victim-related materials such as curricula, literature, and protocols; memberships in organizations that support the management and administration of the VOCA victim assistance grant program are also allowable.

(i) *Strategic planning.* Development of strategic plans, both service and financial, including conducting surveys and needs assessments.

(j) *Coordination and collaboration efforts.* Coordination and collaboration efforts made on behalf of crime victims with appropriate groups such as systems-based providers, criminal justice, victim advocacy, human services, financial assistance (including crime victim compensation), OJP bureaus and offices, and other appropriate Federal, State, and local agencies and organizations.

(k) *Publications.* Purchasing, printing, and developing training materials, victim services directories, brochures, and other relevant publications.

§ 94.113 Allowable training costs.

State administering agencies may use VOCA funds to support training costs as provided in VOCA, at 42 U.S.C. 10603(b)(3). Allowable training costs generally include the following:

(a) *Statewide/regional trainings.* Providing statewide or regional training of personnel providing direct assistance. Statewide or regional training supported with training funds shall target a diverse audience of victim service providers and allied professionals, including VOCA funded and non-VOCA funded personnel.

(b) *Training academies.* Supporting State victim assistance training academies.

Sub-Recipient Program Requirements

§ 94.114 Purpose of VOCA sub-awards.

VOCA funds shall be available to sub-recipients only to provide direct services to victims of crime (unless such funds are otherwise available to the sub-recipient for administrative or other costs as allowable under this subpart).

§ 94.115 Sub-recipient program requirements.

Sub-recipients shall adhere to the following rules in undertaking activities using VOCA funds:

(a) *Use of volunteers.* Sub-recipients shall use volunteers where practicable to do so unless the chief executive of that State (who may act through the State administering agency) waives this requirement pursuant to § 94.104(g).

(b) *Promotion of community efforts to aid crime victims.* Sub-recipients shall, pursuant to VOCA, at 42 U.S.C. 10603(b)(1)(D), promote within the community served coordinated public and private efforts to aid crime victims. Such coordination may include, but is not limited to, serving on Federal, State, local, or American Indian tribal task forces, work groups, committees, commissions, or coalitions, to develop written agreements and protocols, overseeing and recommending improvements to community responses to crime victims.

(c) *Assistance to victims in applying for compensation.* Sub-recipients shall, pursuant to VOCA, at 42 U.S.C. 10603(b)(1)(E), assist victims in applying for crime victim compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of compensation, assisting them with application forms and procedures, obtaining necessary documentation, monitoring claim status, and intervening on behalf of the victim with the crime victims' compensation program.

(d) *Compliance with State criteria.* Sub-recipients shall abide by any additional eligibility or service criteria established by the State administering agency.

(e) *Cost of services.* Sub-recipients shall provide services funded by VOCA to crime victims at no charge, unless the sub-recipient requests (and the State administering agency provides prior approval of) a waiver, pursuant to § 94.109, allowing the sub-recipient to generate program income. If a sub-recipient receives a waiver, any program income shall be restricted to the same uses as the VOCA funds and any program income shall be expended during the grant period in which the income is generated.

§ 94.116 Project match requirements.

(a) *Project match amount.* Sub-recipients shall contribute (*i.e.,* match) not less than twenty percent (cash or in-kind) of the total cost of each VOCA-funded project, except as provided in paragraph (b) of this section.

(b) *Exceptions to project match.* The following are exceptions to the project match rules set out in this section:

(1) *American Indian tribes and tribal organizations.* Sub-recipients that are federally-recognized American Indian or Alaska Native tribes, or projects that operate on reservations of federally-recognized tribes, are not required to contribute to the total cost of a VOCA-funded project.

(2) *Territories and possessions of the United States.* Sub-recipients that are territories or possessions of the United States (except for the Commonwealth of Puerto Rico), or projects that operate in such a territory or possession (except for the Commonwealth of Puerto Rico) are

not required to contribute to the total cost of a VOCA-funded project.

(3) *OVC-approved exceptions.* Sub-recipients other than those listed in paragraphs (b)(1) and (2) of this section, may deviate from the match rules set out in this section only upon OVC approval of a written request submitted to OVC by (or with the concurrence of) the State administering agency.

(c) *Sources of project match.* Matching funds shall be derived from non-Federal sources, except as may be provided in the OJP Financial Guide, and may include the following:

(1) *Cash.* The value of direct non-Federal funding (or Federal funds, where permitted by the OJP Financial Guide) contributed to the project.

(2) *Volunteered professional or personal services.* The value placed on volunteer services shall be consistent with the rate of compensation paid for similar work in the sub-recipient's organization. If the required skills are not found in the sub-recipient's organization, the rate of compensation shall be consistent with the labor market. If services are provided at a discounted rate, the difference between the rate charged the sub-recipient and the rate ordinarily charged shall be included in the valuation. Fringe benefits may be included in the valuation.

(3) *Materials/Equipment.* The value placed on loaned or donated equipment shall not exceed its fair market value.

(4) *Space.* The value of donated space shall not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality.

(5) *Non-VOCA funded victim assistance activities.* Match may include victim assistance activities (including but not limited to performing direct victim service activities, coordinating or supervising those activities, training victim assistance providers, or advocating for victims) that are funded by non-VOCA and non-Federal sources, including, but not limited to, other non-Federal Governmental funding sources.

(d) *Use of match funds.* All funds designated as match are restricted to the same uses, and timing deadlines for obligation and expenditure, as the project's VOCA funding.

(e) *Recordkeeping for match.* Each sub-recipient shall maintain records that clearly show the source, amount, and period of time for which the match was allocated. The basis for determining the value of personal services, materials, equipment, and space shall be documented. Any reduction or discount provided to the sub-recipient shall be the difference of what the sub-recipient paid from what is the provider's nominal or fair market value for the good or service. Volunteer services shall be substantiated by the same methods used by the sub-recipient for its paid employees (generally, this should include timesheets substantiating time worked on the project).

Sub-Recipient Allowable/Unallowable Costs

§ 94.117 Direct service costs.

(a) The following are allowable direct service costs for which sub-recipients may use VOCA funds:

(1) *Immediate physical and psychological health and safety.* Services that respond to the immediate emotional, psychological and physical needs (excluding medical care except as allowed under paragraph (a)(1((ix) of this section) of crime victims are allowable. These services include, but are not limited to:

(i) Crisis intervention services;

(ii) Accompaniment to hospitals for medical examinations;

(iii) Hotline counseling;

(iv) Safety planning;

(v) Emergency food, shelter, clothing, and transportation;

(vi) Short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed;

(vii) Short-term (up to 45 days) nursing home, adult foster care, or group home placement for adults for whom no other safe, short-term residence is available;

(viii) Window, door, and lock replacement or repair;

(ix) Emergency costs of non-prescription and prescription medicine, prophylactic treatment to prevent HIV/AIDS infection, durable medical equipment (such as wheel chairs, crutches, hearing aids, eyeglasses), and other health care items are allowed when the State's compensation program, the victim's (or in the case of a minor child, the victim's parent's or guardian's) health insurance plan, Medicaid, or other health care funding source cannot provide for these expenses within 48 hours of the crime; and

(x) Emergency legal assistance such as filing restraining or protective orders, and obtaining emergency custody orders and visitation rights.

(2) *Personal advocacy and emotional support.* Personal advocacy and emotional support services include-

(i) Working with a victim to assess the impact of the crime;

(ii) Identify needs;

(iii) Case management;

(iv) Manage practical problems created by the victimization;

(v) Identify resources;

(vi) Provide information, referrals, advocacy, and follow-up contact for continued services, as needed; and

(vii) Traditional, cultural and/or alternative therapy/healing (e.g., art therapy, yoga).

(3) *Mental health counseling and care.* Mental health counseling and care includes out-patient therapy/counseling, including referral to substance abuse treatment, provided by a person who meets professional standards to provide these services in the jurisdiction in which the care is administered.

(4) *Peer support.* Peer support includes activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information, and emotional support.

(5) *Facilitation of participation in criminal justice proceedings.* Such facilitation generally involves the provision of services and payment of costs that help victims participate in the criminal justice system, and includes-

(i) Advocacy on behalf of crime victims;

(ii) Accompaniment to criminal justice offices and court;

(iii) Transportation, meals, and lodging to allow victims who are not witnesses to participate in the criminal justice system;

(iv) Interpreters for victims who are hearing-impaired, or with limited English proficiency, when they are not witnesses;

(v) Child care and respite care to enable a victim who is a caregiver to attend criminal justice activities related to the case;

(vi) Notification to victims regarding trial dates, case disposition, incarceration, and parole hearings;

(vii) Assistance with victim impact statements; and

(viii) Assistance in recovering property that was retained as evidence and projects devoted to restitution advocacy on behalf of crime victims.

(6) *Legal assistance.* Costs for legal assistance services are allowable where reasonable and where the need for such services arises as a direct result of the victimization.

(i) Legal services (including, but not limited to, those provided by pro bono legal clinics) that help victims assert their rights as victims or protect their safety, privacy, or other interests, in a criminal proceeding directly related to the victimization, are allowable.

(ii) Civil legal services for victims where the need for such services arises as a direct result of the victimization, are allowable.

(iii) The following are examples (which are merely illustrative, and not meant to be a comprehensive listing) of some circumstances where civil legal services may be appropriate: Protective and restraining orders against a stalker or abuser; campus administrative protection or stay away order proceedings; family, custody, contract, housing, and dependency matters for victims of intimate partner violence, child abuse, sexual assault, and elder abuse; immigration assistance for victims of human trafficking and domestic abuse victims; intervention with creditors, law enforcement (e.g., to obtain police reports), and other entities on behalf of victims of identity theft and financial fraud; intervention with administrative agencies, schools/colleges, tribal entities, and other circumstances where legal advice or intervention would assist in addressing the consequences of a person's victimization.

(iv) OVC encourages State administering agencies to set reasonable limits on the amount and duration of funding, and the types of legal services that are provided by their sub-recipients.

(v) In general, legal services for divorce proceedings, alteration of child support payments, criminal defense, and tort lawsuits are not an appropriate use of VOCA funding.

(7) *Forensic medical evidence collection examinations.* Forensic medical evidence collection examinations for adult and child victims are allowable to the extent that other funding sources such as State appropriations are insufficient. These costs may be covered if the examination meets standards established by the State, and appropriate crisis counseling and/or other types of victim services are offered to the victim in conjunction with the examination.

(8) *Forensic interviews.* VOCA funding may be used for forensic interviews of children and adults only when—

(i) Results of the interview will be used not only for law enforcement and prosecution purposes, but also for identification of needs such as social services, personal advocacy, case management, substance abuse treatment, and mental health services;

(ii) Interviews are conducted in the context of a multidisciplinary investigation and diagnostic team, or in a specialized setting such as a child advocacy center;

(iii) The interviewer is trained to conduct forensic interviews appropriate to the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults; and

(iv) VOCA victim assistance funds are not used to supplant other State and local public funding available for forensic interviews, including criminal justice funding.

(9) *Transportation.* Transportation is allowable for victims to receive services and to participate in criminal justice proceedings.

(10) *Public awareness.* Public awareness and education presentations that are made in schools, community centers, and other public forums, and that are designed to inform crime victims of specific rights and services and provide or refer them to needed services and assistance are allowable. Costs related to these activities include the development of presentation materials, brochures, newspaper notices, and public service announcements.

(11) *Services to incarcerated individuals.* Services that respond to the needs of an incarcerated crime victim, whether arising from a victimization occurring before or during incarceration, are allowable where the need for such services does not directly arise from the crime for which that individual was incarcerated. Such services may include psychological or medical forensic services. The need for victim assistance services does not directly arise from the crime for which a person is incarcerated merely because that person, while incarcerated, is victimized, even where the person is targeted and victimized for having committed that crime.

(12) *Transitional housing.* The cost of transitional housing for victims is allowable, subject to any restrictions on amount, length of time, and eligible crimes, set by the State administering agency. Generally, transitional housing is appropriate for victims of human trafficking, victims with disabilities abused by caretakers, victims of domestic violence and their dependents, and other victims who have a particular need for transitional housing, and who cannot (or should not) return to their previous housing situation due to the circumstances of their victimization.

(13) *Relocation.* The cost of relocation of victims is allowable, subject to any restrictions on amount, length of time, and eligible crimes, set by the State administering agency. Generally, relocation is appropriate where needed for the safety and well being of a victim, particularly for domestic violence victims, victims of sexual assault, and victims of human trafficking. Such costs must be reasonable and may include, but are not limited to, moving expenses, security deposits on housing, rental and mortgage assistance, and utility startup.

(b) [Reserved].

§ 94.118 Other costs for activities supporting direct services.

The following are other allowable victim-service-related costs for which sub-recipients may use VOCA funds:

(a) *Coordination of activities.* Activities that facilitate the provision of direct services are allowable, including but not limited to, statewide coordination for victim notification systems, crisis response teams, multidisciplinary teams, and other such programs. VOCA funds may be used to support the salaries and benefits of such coordinators.

(b) *Supervision of direct service providers.* VOCA funds may be used to support the costs of supervisory staff costs in a VOCA-funded project, when the State administering agency determines that such supervision of direct service providers is necessary and essential to providing direct services to crime victims.

(c) *Multisystem, interagency, multidisciplinary response to crime victims.* VOCA funds may be used for activities that support a coordinated and comprehensive response to crime victims by direct service providers. Examples include direct service staff serving on child and adult abuse multidisciplinary investigation and treatment teams; coordinating with Federal agencies to provide services to victims of Federal crimes; and/or participation on statewide or other task forces, work groups, and committees to develop protocols, interagency, and other working agreements.

(d) *Contracts for professional services.* Sub-recipients may use VOCA funds to contract for specialized professional services that are not available within the organization. Examples of such services include, but are not limited to, psychological or psychiatric consultation; legal consultation for victim advocates who assist victims in using appropriate legal avenues to alleviate danger and in exercising their rights as victims; and interpreters for victims who are hearing impaired or with limited English proficiency. Sub-recipients generally should not use VOCA funds for contracted services that charge for administrative overhead or other indirect costs on an hourly or daily rate.

(e) *Automated systems and technology.* VOCA funds may be used

for automated systems and technology that support delivery of direct services to victims. Examples are automated information and referral systems, email systems that allow communications among victim service providers, automated case-tracking and management systems, and victim notification systems. Costs may include personnel, hardware, and other expenses, as determined by the State administering agency.

(f) *Court Appointed Special Advocates (CASA) and other similar volunteer trainings.* VOCA direct service funds may be used to provide instruction to CASA volunteers on how to be an advocate. VOCA funds may also be used to instruct volunteers on how to provide direct services when such services will be provided predominantly by volunteers.

§ 94.119 Sub-recipient administrative costs.

The following are allowable administrative costs for which sub-recipients may use VOCA funds:

(a) *Personnel costs.* VOCA funds may be used to support personnel costs that are directly related to providing direct services and other allowable victim-related services, such as staff and coordinator salaries and fringe benefits, including a prorated share of liability insurance.

(b) *Skills training for staff.* VOCA funds designated for skills training shall be used exclusively for developing the skills of direct service providers, including paid staff and volunteers, so that they are better able to offer quality services to crime victims. These VOCA funds may be used for training both VOCA-funded and non-VOCA-funded service providers who work within a VOCA recipient organization. VOCA funds may be used to pay for manuals, books, videoconferencing, and other materials and training methods.

(c) *Training-related travel.* VOCA funds may support costs such as travel, meals, lodging, and registration fees for VOCA-funded direct service staff in a VOCA sub-recipient organization. These expenses may be funded for training in-State, regionally, and nationally.

(d) *Office costs.* Office costs that are necessary and essential to providing direct services and other allowable victim services are allowable. These costs include but are not limited to the prorated costs of rent; utilities; local travel expenses for service providers; and required minor building adaptations needed to meet the Department of Justice standards implementing the Americans with Disabilities Act.

(e) *Equipment and furniture.* VOCA funds may be used to purchase furniture and equipment that facilitate the delivery of direct services to crime victims. Examples of allowable costs are telephones; Braille and TTY/TDD equipment; computers and printers; beepers; video cameras and recorders for documenting and reviewing interviews with children; two-way mirrors; colposcopes; and equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas. VOCA funds may support only the prorated share of an item that is not used exclusively for victim-related activities.

(f) *Operating costs.* Operating costs include but are not limited to-

(1) Supplies;

(2) Equipment use fees, when supported by adequate documentation;

(3) Prorated costs of property insurance;

(4) Printing, photocopying, and postage;

(5) Courier services;

(6) Brochures that describe available services;

(7) Books and other victim-related materials;

(8) Computer backup files/tapes and storage; and

(9) Security systems.

(g) *VOCA administrative time.* Administrative time spent performing the following activities is an allowable cost-

(1) Completing VOCA-required time and attendance sheets and programmatic documentation, reports, and statistics;

(2) Collecting and maintaining crime victims records;

(3) Conducting victim satisfaction surveys and needs assessments to improve victim services delivery in the VOCA-funded project; and

(4) Funding the prorated share of audit costs.

(h) *Leasing vehicles.* Leasing vehicles, provided that the State administering agency grants prior approval, is an allowable cost. The sub-recipient shall demonstrate to the satisfaction of the State administering agency that the vehicle is essential to delivering services to crime victims.

(i) *Maintenance, repair, or replacement of essential items.* VOCA funds may be used for maintenance, and repair or replacement of items that contribute to maintaining a healthy or safe environment for crime victims, such as a furnace in a shelter. Routine maintenance, repair costs, and automobile insurance are allowable for leased vehicles. State administering agencies shall review each sub-recipient request to ensure that other sources of funding are not available, and that the cost of maintenance, repair, or replacement is reasonable.

(j) *Project evaluation.* Sub-recipients may use VOCA funds to support evaluations of specific victim service projects.

§ 94.120 Expressly non-allowable sub-recipient costs.

Notwithstanding any other provision of this subpart, VOCA funds shall not be used to fund or support the following:

(a) *Lobbying.* Lobbying or administrative advocacy activities on legislation or administrative change to regulation or administrative policy (*cf.* 18 U.S.C. 1913), whether conducted directly or indirectly, are unallowable.

(b) *Perpetrator rehabilitation and counseling.* Funds may not be used for perpetrator rehabilitation and counseling except where directly arising from the victimization of an incarcerated individual whose need for victim assistance services does not directly arise from the crime for which that individual was incarcerated, or as provided in § 94.117(a)(11).

(c) *Research and studies.* Research and studies on crime victim issues are an unallowable use of VOCA funds, as these funds should be used primarily for direct services. Note: Evaluation of specific victim service projects to determine the effectiveness of such a program is an allowable use of VOCA funds.

(d) *Criminal justice system improvement.* Activities directed at prosecuting an offender or improving the criminal justice system's effectiveness and efficiency, except that forensic interviews and examinations may be funded in some instances, as set forth in § 94.117(a)(7) and (8).

(e) *Fundraising.* Any activities or other costs related to fundraising (with the exception of fee-based, or similar, program income as permitted by the State administering agency under these rules).

(f) *Capital expenses.* Capital improvements, liability insurance on buildings; body guards; property losses and expenses; real estate purchases; mortgage payments; and construction, except as allowable under § 94.117(a)(1) or § 94.119.

(g) *Compensation for victims of crime.* Reimbursement to crime victims for expenses incurred as a result of a crime, except as allowable property loss expenses under § 94.117(1).

(h) *Most medical care.* Except as allowed under § 94.117(a)(1)(ix).

(i) *Salaries and expenses of management.* Salaries, benefits, fees,

furniture, equipment, and other expenses of executive directors, board members, and other administrators, except as allowable under § 94.118 or § 94.119.

(j) *Victim attendance at conferences.* The attendance of individual crime victims at conferences.

(k) *Funding other organizations.* The purchase of equipment for another organization or individual to perform a victim-related service.

(l) *Purchasing vehicles.* Purchasing of vehicles (as distinct from the leasing of vehicles.

(m) *Crime prevention.* Crime prevention activities.

Dated: August 14, 2013.

Karol V. Mason,

Assistant Attorney General.

[FR Doc. 2013–20426 Filed 8–26–13; 8:45 am]

BILLING CODE 4410–18–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 50, 51, 70 and 71

[EPA–HQ–OAR–2010–0885, FRL–9810–3]

RIN 2060–AR34

Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements

Correction

In proposed rule document 2013–13233 appearing on pages 34178 through 34239 in the issue of Thursday, June 6, 2013, make the following correction.

1. On page 34234, in the first column, on the twenty-fifth line from the bottom, ''**PART 50—NATIONAL PRIMARY AND SECONDARY AXVYGH9**'' is corrected to appear as set forth below:

PART 50—NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS [CORRECTED]

[FR Doc. C1–2013–13233 Filed 8–26–13; 8:45 am]

BILLING CODE 1505–01–D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2013–0446; FRL 9900–38–Region 7]

Approval and Promulgation of Implementation Plans; State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the State Implementation Plan (SIP) for the state of Iowa. The purpose of these revisions is to update the Polk County Board of Health Rules and Regulations. These proposed revisions reflect updates to the Iowa statewide rules previously approved by EPA and will ensure consistency between the applicable local agency rules and Federally-approved rules.

DATES: Comments on this proposed action must be received in writing by September 26, 2013.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2013–0446 by mail to: Michael Jay, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Michael Jay at (913) 551–7460, or by email at *jay.michael@epa.gov*

SUPPLEMENTARY INFORMATION: In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: August 1, 2013.

Mark Hague,

Acting Regional Administrator, Region 7.

[FR Doc. 2013–20752 Filed 8–26–13; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2 and 95

[ET Docket No. 03–137; Report No. 2988]

Petition for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petition for reconsideration.

SUMMARY: In this document, a Petition for Reconsideration has been filed in the Commission's Rulemaking proceeding by Ivanna Yang on behalf of American Association for Justice.

DATES: Oppositions to the Petitions must be filed on or before September 11, 2013. Replies to an opposition must be filed on or before September 23, 2013.

ADDRESSES: Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Martin Doczkat, Office of Engineering and Technology, 202–418–2435, *Martin.Doczkat@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of Commission's document, Report No. 2988, released July 31, 2013. The full text of Report No. 2988 is available for viewing and copying in Room CY–B402, 445 12th Street SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1–800–378–3160). The Commission will not send a copy of this *Notice* pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this *Notice* does not have an impact on any rules of particular applicability.

Subjects: Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields, FCC 13–39, published at 78 FR 33634, June 4, 2013, in ET Docket No. 03–137, published pursuant to 47 CFR 1.429(e). *See also* section 1.4(b)(1) of the Commission's rules.

Number of Petitions Filed: 1.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary, Office of Managing Director.

[FR Doc. 2013–20695 Filed 8–26–13; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R4–ES–2013–0007; 4500030113]

RIN 1018–AZ30

Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Neosho Mucket and Rabbitsfoot

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce the reopening of the public comment period on our October 16, 2012, proposed designation of critical habitat for the Neosho mucket (*Lampsilis rafinesqueana*) and rabbitsfoot (*Quadrula cylindrica cylindrica*) mussels under the Endangered Species Act of 1973, as amended (Act). In response to requests we received, we are reopening the comment period to allow all interested parties an opportunity to comment on the proposed designation of critical habitat, draft environmental assessment, and draft economic analysis. Comments previously submitted need not be resubmitted, as they will be fully considered in our determinations on this rulemaking action.

DATES: For the proposed rule published October 16, 2012 (77 FR 63440), we will consider all comments received or postmarked on or before October 28, 2013. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. Eastern Time on the closing date.

ADDRESSES: *Document availability:* You may obtain copies of the proposed rule on the Internet at *http://www.regulations.gov* at Docket No. FWS–R4–ES–2012–0031, or by mail from the Arkansas Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT**). You may obtain a copy of the draft economic analysis and the draft environmental assessment at Docket No. FWS–R4–ES–2013–0007.

Comment submission: You may submit written comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: *http://www.regulations.gov.* Search for Docket No. FWS–R4–ES–2013–0007.

(2) *By hard copy:* Submit comments by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R4–ES–2013–0007; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042–PDM; Arlington, VA 22203.

We request that you send comments only by the methods described above. We will post all comments on *http://www.regulations.gov.* This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

FOR FURTHER INFORMATION CONTACT: Jim Boggs, Field Supervisor, U.S. Fish and Wildlife Service, Arkansas Ecological Services Field Office, 110 South Amity Road, Suite 300, Conway, AR 72032; by telephone 501–513–4475; or by facsimile 501–513–4480. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Background

On October 16, 2012, the Service published a proposed rule in the **Federal Register** (77 FR 63440) to list the Neosho mucket (*Lampsilis rafinesqueana*) as an endangered species and the rabbitsfoot (*Quadrula cylindrica cylindrica*) as a threatened species under the Act and to designate critical habitat for these two mussels. We proposed to designate approximately 779.1 river kilometers (rkm) (484.1 river miles (rmi)) of critical habitat for the Neosho mucket in the Cottonwood, Elk, Fall, Illinois, Neosho, Shoal, Spring, North Fork Spring, and Verdigris Rivers in Arkansas, Kansas, Missouri, and Oklahoma. The proposed critical habitat for the Neosho mucket is located in:

- Benton and Washington Counties, Arkansas;
- Allen, Chase, Cherokee, Coffey, Elk, Greenwood, Labette, Montgomery, Neosho, Wilson, and Woodson Counties, Kansas;
- Jasper, Lawrence, McDonald, and Newton Counties, Missouri; and
- Adair, Cherokee, and Delaware Counties, Oklahoma.

We proposed to designate 2,664 rkm (1,655 rmi) of critical habitat for the rabbitsfoot in the Neosho, Spring (Arkansas River system), Verdigris, Black, Buffalo, Little, Ouachita, Saline, Middle Fork Little Red, Spring (White River system), South Fork Spring, Strawberry, White, St. Francis, Big Sunflower, Big Black, Paint Rock, Duck, Tennessee, Red, Ohio, Allegheny, Green, Tippecanoe, Walhonding, Middle Branch North Fork Vermilion, and North Fork Vermilion Rivers and Bear, French, Muddy, Little Darby and Fish Creeks in Alabama, Arkansas, Kansas, Kentucky, Illinois, Indiana, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, and Tennessee. The proposed critical habitat for the rabbitsfoot is located in:

- Colbert, Jackson, Madison, and Marshall Counties, Alabama;
- Arkansas, Ashley, Bradley, Clark, Cleveland, Dallas, Drew, Fulton, Grant, Hot Spring, Independence, Izard, Jackson, Lawrence, Little River, Marion, Monroe, Montgomery, Newton, Ouachita, Randolph, Saline, Searcy, Sevier, Sharp, Van Buren, White, and Woodruff Counties, Arkansas;
- Allen and Cherokee Counties, Kansas;
- Ballard, Green, Hart, Livingston, Logan, Marshall, and McCracken Counties, Kentucky;
- Massac, Pulaski, and Vermilion Counties, Illinois;
- Carroll, Pulaski, Tippecanoe, and White Counties, Indiana;
- Hinds, Sunflower, Toshimingo, and Warren Counties, Mississippi;
- Jasper, Madison, and Wayne Counties, Missouri;
- Coshocton, Madison, Union, and Williams Counties, Ohio;
- McCurtain and Rogers Counties, Oklahoma;
- Crawford, Erie, Mercer, and Venango Counties, Pennsylvania; and
- Hardin, Hickman, Marshall, Maury, and Robertson Counties, Tennessee.

That proposal had a 60-day comment period, ending December 17, 2012.

On May 9, 2013, we announced the reopening of the comment period for the proposed listing of Neosho mucket and rabbitsfoot and the availability of our draft environmental assessment (DNEPA–EA) and draft economic analysis (DEA) of the proposed critical habitat (78 FR 27171). The comment period was reopened for 30 days, ending on June 10, 2013. We received two requests for the reopened comment period to be extended so that the public could have additional time to review the draft environmental assessment and draft economic analysis. The requests were from Senator Mark Pryor of Arkansas and the Kansas Farm Bureau. Therefore, with this notice we are reopening the comment period on the proposed designation of critical habitat and the draft EA and NEPA–EA for an additional 60 days.

Pursuant to a court-ordered deadline, we must make a final determination on whether to list Neosho mucket and

rabbitsfoot by September 30, 2013. Although we published the proposal to list the species and the proposal to designate critical habitat on October 16, 2012, as one rule, we intend to publish the final rule listing the species and the final determination on critical habitat separately. Additionally, in order to allow additional opportunity for public comment on the critical habitat proposal, we plan to publish the final critical habitat determination later than the listing determination.

Additional information may be found in the October 16, 2012, proposed rule (77 FR 63440) and the May 9, 2013, reopening of the comment period and availability of the draft environmental assessment and draft economic analysis (78 FR 27171).

Public Comments

We are again seeking written comments and information during this reopened comment period on our proposed designation of critical habitat for Neosho mucket and rabbitsfoot that published in the **Federal Register** on October 16, 2012 (77 FR 63440), and on our draft environmental assessment and draft economic analysis of the proposed critical habitat designation and the amended required determinations that were made available for review on May 9, 2013 (78 FR 27171).

With regard to the proposed critical habitat determination, we are particularly interested in comments concerning:

(1) The reasons why we should or should not designate habitat as ''critical habitat'' under section 4 of the Act, including whether there are threats to the species from human activity, the degree of which can be expected to increase due to the designation, and whether that increase in threat outweighs the benefit of designation such that the designation of critical habitat is not prudent.

(2) Specific information on:

(a) The amount and distribution of the species' habitat;

(b) What areas occupied by the species at the time of listing that contain features essential for the conservation of the species we should include in the designation and why;

(c) Special management considerations or protection that may be needed in critical habitat areas we are proposing, including managing for the potential effects of climate change; and

(d) What areas not occupied at the time of listing are essential to the conservation of the species and why.

(3) Land use designations and current or planned activities in the subject areas and their possible impacts on proposed critical habitat.

(4) Any foreseeable economic, national security, or other relevant impacts that may result from designating any area that may be included in the final designation. We are particularly interested in any impacts on small entities and the benefits of including or excluding areas from the proposed designation that are subject to these impacts.

(5) Whether our approach to designating critical habitat could be improved or modified in any way to provide for greater public participation and understanding, or to assist us in accommodating public concerns and comments.

If you submitted comments or information on the proposed rule (77 FR 63440) during the initial comment period from October 16, 2012, to December 17, 2012, or the reopened comment period (78 FR 27171) from May 9, 2013, to June 10, 2013, please do not resubmit them. We have incorporated them into the public record as part of the original comment period, and we will fully consider them in our final determinations.

You may submit your comments and materials concerning the proposed rules by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

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. We will post all hardcopy comments on *http://www.regulations.gov* as well. 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.

Comments and materials we receive, as well as supporting documentation we used in preparing the proposed rule, will be available for public inspection on *http://www.regulations.gov* at Docket No. FWS–R4–ES–2013–0007 for the proposed critical habitat designation, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Arkansas Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT**).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: August 12, 2013.

Rachel Jacobson,

Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2013–20671 Filed 8–26–13; 8:45 am]

BILLING CODE 4310–55–P

Notices

Federal Register

Vol. 78, No. 166

Tuesday, August 27, 2013

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

August 21, 2013.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by September 26, 2013 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street NW., Washington, DC 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: Untreated Oranges, Tangerines, and Grapefruit from Mexico Transiting the United States to Foreign Countries.

OMB Control Number: 0579–0303.

Summary of Collection: Under the Plant Protection Act (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 Code of Federal Regulations, § 352.30 addresses the movement into or through the United States of untreated oranges, tangerines, and grapefruit from Mexico that transit the United States en route to foreign countries.

Need and Use of the Information: The Animal and Plant Health Inspection Service (APHIS) is taking action to provide additional protection against the possible introduction of fruit flies via untreated oranges, tangerines, and grapefruit from Mexico that transit the United States. Untreated oranges, tangerines, and grapefruit from Mexico transiting the United States for export to another country must be shipped in sealed, refrigerated container and insect-proof packaging. A transportation and exportation permit must be issued by an inspector for shipments of untreated oranges, tangerines, and grapefruit from Mexico. Without the information, APHIS would not be able to allow the movement of untreated citrus to transit the United States to foreign countries.

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

Number of Respondents: 25.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 13.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2013–20836 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

August 21, 2013.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), *Pamela_Beverly_OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (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.

National Institute of Food and Agriculture

Title: 4–H Enrollment Report.

OMB Control Number: 0524–0045.

Summary of Collection: The mission of the National 4–H Headquarters; National Institute of Food and

Agriculture, United States Department of Agriculture; is to advance scientific knowledge for agriculture, the environment, human and animal health and well-being, and communities by creating opportunities for youth. 4–H is the premier youth development program of the United States Department of Agriculture. Originating in the early 1900's as ''four-square education,'' the 4–H's (head-heart-hands-health) seek to promote positive youth development, facilitate learning and engage youth in the work of their community to enhance the quality of life.

Need and Use of the Information: The annual 4–H Enrollment Report is the principal means by which the 4–H movement can keep track of its progress, as well as emerging needs, potential problems and opportunities. All of the information necessary to run the 4–H program is collected from individuals clubs, and other units. Without the information it would be impossible to justify federal funding for the 4–H program.

Description of Respondents: State, Local or Tribal Government.

Number of Respondents: 100.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 101.

National Institute of Food and Agriculture

Title: Veterinary Medicine Loan Repayment Program (VMLRP) Shortage Situation.

OMB Control Number: 0524–0046.

Summary of Collection: The National Institute of Food and Agriculture (NIFA) established a process to designate veterinarian shortage situations for the Veterinary Medicine Loan Repayment Program (VMLRP) as authorized under section 1415A of the National Agricultural Research, Extension, and Teaching Policy Act of 1997. This information collection applies to Subpart A of 7 CFR part 3431. The purpose of the program is to assure an adequate supply of trained food animal veterinarians in shortage situations and provide USDA with a pool of veterinary specialists to assist in the control and eradication of animal disease outbreaks.

Need and Use of the Information: NIFA will collect information using the Veterinarian Shortage Situation Nomination form. Applications for the VMLRP will be accepted from eligible veterinarians who agree to serve in one of the designated shortage situations in exchange for the repayment of the veterinarian's qualifying educational loans. The nomination form includes a series of questions that will need to be answered before the nomination can be submitted to the peer panelists for their review and recommendations.

Description of Respondents: State, Local or Tribal Government.

Number of Respondents: 60.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 480.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2013–20828 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–09–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

August 21, 2013.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street NW., Washington, DC 20503. 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.

Comments regarding these information collections are best assured of having their full effect if received by September 26, 2013. Copies of the submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Marketing Service

Title: National Sheep Industry Improvement Center.

OMB Control Number: 0581–0263.

Summary of Collection: The National Sheep Industry Improvement Center (NSIIC) was initially authorized under the Consolidated Farm and Rural Development Act (Act) (Pub. L. 104–127). The initial legislation included a provision that privatized the NSIIC 10 years after its ratification. Subsequently, the NSIIC was privatized on September 30, 1996. In 2008, the NSIIC was re-established under Title XI of the Food, Conservation, and Energy Act of 2008 also known as the 2008 Farm Bill. Section 11009 of the 2008 Farm Bill repealed the requirement in section 375(e)(6) of the Act to privatize the NSIIC.

The management of the NSIIC is vested in a Board of Directors (Board) that is appointed by the Secretary of Agriculture. The primary objective of the NSIIC is to assist U.S. sheep and goat industries by strengthening and enhancing the production and marketing of sheep, goats, and their products in the United States.

Need and Use of the Information: Information is collected using the forms ''Nominations for Appointments;'' ''Background Information, AD–755;'' and ''Nominee's Agreement to Serve.'' AMS accepts nominations for membership on the Board from national organizations that (1) consist primarily of active sheep or goat producers in the United States and (2) have the primary interest of sheep or goat production in the United States. The information collection requirements in the request are essential to carry out the intent of the enabling legislation.

Description of Respondents: National Organizations consisting primarily of active sheep or goat producers in the U.S.

Number of Respondents: 10.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 6.

Charlene Parker,

Departmental Information Collection Clearance Officer.

[FR Doc. 2013–20833 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

[Docket Number: USDA–2013–0003]

Science-Based Methods for Entity-Scale Quantification of Greenhouse Gas Sources and Sinks From Agriculture and Forestry Practices

AGENCY: Office of the Chief Economist, USDA.

ACTION: Notice of availability for public comment.

SUMMARY: The U.S. Department of Agriculture (USDA) has prepared a report containing methods for quantifying entity-scale greenhouse gas (GHG) emissions and removals from the agriculture and forestry sectors. The purpose of this notice is to seek input from the public on the proposed methods. This report was prepared in part to meet requirements of Section 2709 of the Food, Conservation and Energy Act of 2008. The report was prepared by 38 technical experts and reviewed by 29 scientific reviewers. USDA anticipates that the methods will be used by landowners and USDA to improve management practices and identify actions to reduce GHG emissions and increase carbon sequestration. The guidelines and methods could also be used by farmers, ranchers, and forest owners to facilitate their participation in voluntary state and regional GHG registries and programs. Notice of the project was announced in the **Federal Register** in February, 2011 (FR Doc. 2011–3731, p. 9534, Feb 18 2011). Comments received under this notice will be used to further refine the methods report in preparation for publication as a USDA Technical Bulletin. Comments submitted will help USDA to gauge the appropriateness and completeness of the proposed methods as well as methodological or data concerns that should be considered. A series of questions have been provided in the supplementary information below to aid review.

When submitting responses, please annotate comments using the report section number designations. All information received will be included in the public docket and made available online at *http://www.regulations.gov,* including any personal information provided. Do not include any information that might be considered proprietary or confidential.

DATES: Responses to this notice should be submitted by 11:59 p.m. Eastern Time on October 11, 2013.

ADDRESSES: The report is available for download from the project Web site at *www.usda.gov/oce/climate_change/estimation.htm,* and within the Federal Docket as noted below. If you are unable to access the report from one of these Web sites, contact the Climate Change Program Office via the contact details below.

Responses to this notice must be submitted electronically through the regulations.gov portal at *http://www.regulations.gov,* Docket #USDA–2013–0003. Follow the online instructions for submitting comments. *Http://www.regulations.gov* is an ''anonymous access'' system, which means USDA will not know your identity or contact information unless you provide it in the body of your comment. If you are unable to submit your responses through the web portal, consider these alternative submission methods:

- Via email to *techguide@oce.usda.gov;*
- Via fax to 202–401–1176; or,
- Via courier delivery to Marlen Eve, USDA Climate Change Program Office, 1400 Independence Ave SW., Room 4407 South Bldg, Washington, DC 20250.

Responses submitted through email, fax or courier will be recorded in full, including any identity and contact information.

FOR FURTHER INFORMATION CONTACT: Any questions about the content of this notice should be sent to Marlen Eve, USDA Climate Change Program Office, via Email *techguide@oce.usda.gov,* Telephone 202–401–0979, or Fax 202–401–1176. Additional information on the project can be found at *www.usda.gov/oce/climate_change/estimation.htm.*

SUPPLEMENTARY INFORMATION: The Climate Change Program Office (CCPO) operates within the Office of the Chief Economist at USDA and functions as the Department-wide focal point on agriculture, rural, and forestry-related climate change activities. The CCPO ensures that USDA is a source of objective, analytical assessments of the effects of climate change and proposed response strategies. This project addresses the need for scientifically-sound, Department-wide guidelines for quantifying GHG emissions and carbon sequestration at the farm-, forest- and entity-scale. The report and other products developed by this project will be useful in assessing the carbon and GHG related environmental service benefits of various agricultural and forestry management practices and technologies. Supplementary information on the project is included below.

Project scope. USDA has created a comprehensive set of GHG inventory methods that builds upon existing estimation and inventory efforts with the aim of providing transparent and robust inventory guidelines and reporting tools. The methods address direct greenhouse gas emissions and carbon sequestration from agriculture and forest management at the farm, ranch or forest boundary. This report does not establish a GHG crediting framework or address policy issues related to crediting GHG reductions such as additionality or leakage.

The following GHG sources and sinks are addressed in the report:

Croplands/Grazing Lands

- Biomass carbon stock changes;
- Soil organic carbon stocks for mineral soils;
- Soil organic carbon stocks for organic soils;
- Direct nitrous oxide emissions from mineral soils;
- Direct nitrous oxide emissions from drainage of organic soils;
- Indirect nitrous oxide emissions;
- Methane uptake by soils;
- Methane and nitrous oxide emissions from rice cultivation;
- Carbon dioxide emissions from liming;
- Methane and nitrous oxide emissions from biomass burning; and
- Carbon dioxide emissions from urea fertilizer application.

Managed Wetlands

- Biomass carbon stock changes;
- Soil carbon stock changes; and
- Methane and nitrous oxide emissions.

Animal Production Systems

- Enteric fermentation and animal housing emissions;
- Solid manure storage and treatment emissions;
- Liquid manure storage and treatment emissions; and
- Manure application emissions.

Forestry

- Forest carbon stock changes;
- Establishing, re-establishing, and clearing forests;
- Forest management;
- Harvested wood products;
- Urban forestry; and
- Natural disturbances.

Land Use Change

- Dead wood carbon;
- Carbon in litter; and
- Soil organic carbon in mineral soils.

Methods have not been delineated for all of the sources considered. In some

cases, the authors note that more research, additional data and/or extrapolation of current information are needed in order to establish a method. These research and data gaps are highlighted in the report. An approach to uncertainty assessment is also proposed.

Specifically, USDA requests comments on:

1. Are sources of GHG emissions or sinks missing? Are the methods provided complete? Are there potential inconsistencies in and across the methods?

2. Are the proposed methods suitable for estimating GHG emissions at the farm-, forest- or entity-scale while meeting the selection criteria of transparency, consistency, comparability, completeness, accuracy, cost effectiveness, and ease of use?

3. Are new (or additional) data sources available for calculating emission factors?

4. Are there additional management practices for which the science and data are clear, and which should be addressed in the methods report? If yes, please provide details.

5. Are the methods appropriate across a variety of farm and forest entities as well as applicable to operations of any size?

6. Are the research gaps clearly identified? Are there additional gaps to note, or new data sources that significantly address any of the listed gaps?

Persons with disabilities who require alternate means for communication of program information (Braille, large print, audio tape, etc.) should contact the USDA's Target Center at (202) 720–2600 (voice and TDD).

Dated: August 20, 2013.

Joseph Glauber,

Chief Economist.

[FR Doc. 2013–20701 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–38–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Supplemental Nutrition Assistance Program (SNAP) Enhancing Retail Food Store Eligibility—Listening Sessions

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: This Notice announces 5 listening sessions to support the Request for Information (RFI) published by FNS regarding Supplemental Nutrition Assistance Program (SNAP) retailer eligibility requirements (78 FR 51136, August 20, 2013). As explained in the RFI, FNS is re-examining SNAP retailer eligibility requirements in part because of concerns raised in a recent FNS report examining the trafficking rates at different types of retail food stores and a 2006 Government Accountability Office (GAO) report suggesting that the minimal stocking requirements in SNAP contribute to corrupt retailers entering the program. The FNS report is available at: *http://www.fns.usda.gov/ora/menu/Published/SNAP/FILES/ProgramIntegrity/Trafficking2009_Summary.pdf.* The GAO report is available at: *http://www.gao.gov/products/GAO-07-53.* Information on SNAP retailer eligibility requirements is available at: *http://www.fns.usda.gov/snap/retailers/store-eligibility.htm.* The scheduled listening sessions provide an opportunity for FNS to seek public input on potential changes to retailer authorization requirements.

DATES: Listening sessions are scheduled in 5 cities: Wednesday, August 28 in Ames, Iowa; Monday, September 9 in Baltimore, Maryland; Tuesday, September 10 in Greenville, Mississippi; Wednesday, September 11 in Chicago, Illinois; and Monday, September 16 in Los Angeles, California.

ADDRESSES: Written comments may be submitted through the Federal eRulemaking Portal at *www.regulations.gov.* Follow the online instructions for submitting comments electronically. Written comments can also be mailed or delivered to: Shanta Swezy, Chief, Retailer Management and Issuance Branch, Retailer Policy and Management Division, Supplemental Nutrition Assistance Program, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 426, Alexandria, Virginia 22302.

FOR FURTHER INFORMATION CONTACT: Contact information is listed under **SUPPLEMENTARY INFORMATION**.

SUPPLEMENTARY INFORMATION: Complete information for the five scheduled listening sessions is as follows:

1. City/State: Ames, Iowa; Date: Wednesday, August 28, 2013; Time: 4 p.m.–7 p.m.; Location: Iowa State University, Scheman Building Room 275; Address: 400 Beach Ave Iowa State Center, Ames, IA 50011; Contact: Bart Bushman (303) 844–0310.
2. City/State: Baltimore, MD; Date: Monday, September 9, 2013; Time: 4 p.m.–7 p.m.; Location: Enoch Pratt Central Library; Address: 400 Cathedral Street, Baltimore, MD 21201; Contact: Margarita Maisterrena (609) 259–5091.
3. City/State: Greenville, MS; Date: Tuesday, September 10, 2013. Time: 5 p.m.–8 p.m. Location: Greenville Higher Education Center. Address: 2900 A Highway 1 South, Greenville, MS; Contact: Debbie Smoot (404) 562–1810.
4. City/State: Chicago, IL; Date: Wednesday, September 11, 2013; Time: 4 p.m.–7 p.m.; Location: Walter Payton College Preparatory High School; Address: 1034 North Wells Street, Chicago, IL 60610; Contact: Alan Shannon (312) 353–1045.
5. City/State: Los Angeles, CA; Date: Monday, September 16, 2013; Time: 4 p.m.–7 p.m.; Location: East Los Angeles Community Service Center; Address: 133 N. Sunol Drive, Los Angeles, CA 90063; Contact: Julie Yee (415) 705–1311.

All sessions are open to the public and will be recorded. Each forum will begin with opening remarks from the USDA official charged with moderating the session. Both a sign language and a Spanish language interpreter will be available. Speakers' time will be limited to four minutes. Written comments will also be accepted at every session. Each session location is accessible to persons with disabilities.

The Agency is seeking public input regarding the following questions, with particular attention to impacts of each on program integrity, healthy food choices, access to food, and retailer operations. Listening session attendees will be provided with a list of these questions at the forum site:

1. Is ensuring that SNAP retailers provide SNAP clients access to healthy food choices a reasonable priority for establishing SNAP store eligibility criteria?

2. Are there store types that clearly meet all of the Program goals and, consequently, should always be eligible for SNAP participation?

3. Conversely, are there store types that do not effectively improve access to food choices (e.g., stores that sell low amounts of food when compared to the amounts of distilled liquor, tobacco and/or lottery tickets sold) and, therefore, should always be ineligible for SNAP participation?

4. Would a different definition of the ''staple foods'' required in SNAP authorized stores help to ensure that these stores offer more healthy food choices? If so, what kinds of changes would be most effective? Specifically, almost all foods can be counted towards meeting staple food requirements,

including those high in added sugar, sodium or solid fats. Should foods high in these components be counted as staple foods when determining store authorization requirements?

5. How should prepared foods with multiple ingredients, such as chicken pot pie or other frozen dinners, or single serving meat jerky packages, be treated with regards to ''staple foods'' categories?

6. Do twelve items (the minimum amount necessary to meet SNAP authorization criterion A, by virtue of needing three varieties in the four different staple food categories) provide adequate variety for a retailer to further the Program's purpose? If not, what would be a more appropriate requirement?

7. Currently, retailers who are authorized under criterion A are required to stock perishable items (e.g., fresh, frozen or refrigerated fruits and vegetables; dairy; meats, poultry and fish; bread or cereal) in two categories. Should perishable items be required in more than two categories?

8. Are 50 percent of sales in staple foods, as currently required for criterion B, sufficient to ensure that a SNAP authorized store furthers the program's purpose, given the current definition of ''staple foods?'' Would this percentage be sufficient if the definition of ''staple foods'' is changed to exclude items high in added sugar, sodium or solid fats?

9. Should stores whose primary business (as evidenced by marketing, inventory or sales) is not the sale of food, be eligible to participate in SNAP?

10. Restaurants are generally prohibited from being SNAP retailers, and hot foods cannot be purchased with SNAP benefits. However, there are authorized retailers who primarily sell food for immediate consumption, often on premises, but also sell their products cold and heat them for SNAP recipients immediately after purchase for a nominal fee. These stores qualify today based on the array of raw ingredients, such as unbaked pizza or raw fish. Should such stores be eligible for participation in SNAP?

11. Should all retailers who meet SNAP eligibility criteria be authorized, even when sufficient store access for recipients is not a concern?

12. If store access were a concern in an area where no store meets basic eligibility criteria for SNAP authorization, how should FNS select the stores to authorize that best serve the needs of the client population? Should FNS employ an evaluation and scoring system? If so, what criteria should make up such a system?

13. How should integrity and management priorities be balanced against healthy food choice criteria in the SNAP authorization process? What elements could be used to assess integrity risks, and how should they be applied?

14. Are there any other ways in which the criteria for retailer eligibility should be changed? If so, how?

Dated: August 22, 2013.

Audrey Rowe,

Administrator, Food and Nutrition Service.

[FR Doc. 2013–20907 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Forest Service

Request for Applications: The Community Forest and Open Space Conservation Program

AGENCY: Forest Service, Department of Agriculture.

ACTION: Request for applications

SUMMARY: The U.S. Department of Agriculture, Forest Service, requests applications for the Community Forest and Open Space Conservation Program (Community Forest Program or CFP). This is a competitive grant program whereby local governments, qualified nonprofit organizations, and Indian tribes are eligible to apply for grants to establish community forests through fee simple acquisition of private forest land from a willing seller. The purpose of the program is to establish community forests by protecting forest land from conversion to non-forest uses and provide community benefits such as sustainable forest management, environmental benefits including clean air, water, and wildlife habitat; benefits from forest-based educational programs; benefits from serving as models of effective forest stewardship; and recreational benefits secured with public access.

Eligible lands for grants funded under this program are private forest land that is at least five acres in size, suitable to sustain natural vegetation, and at least 75 percent forested. The lands must also be threatened by conversion to non-forest uses, must not be held in trust by the United States on behalf of any Indian tribe, must not be Tribal allotment lands, must be offered for sale by a willing seller, and if acquired by an eligible entity, must provide defined community benefits under CFP and allow public access.

DATES: Interested local government and nonprofit applicants must submit applications to the State Forester. Tribal applicants must submit applications to the appropriate Tribal government officials. All applications must be received by State Foresters or Tribal governments by January 15, 2014. State Foresters or Tribal government officials must forward applications to the Forest Service Region, Northeastern Area or International Institute of Tropical Forestry by February 17, 2014.

ADDRESSES: All local government and qualified nonprofit organization applications must be submitted to the State Forester of the State where the property is located. All Indian tribal applications must be submitted to the Tribal government officials of the Indian tribe. Applicants are encouraged to contact and work with the Forest Service Region, Northeastern Area, or International Institute of Tropical Forestry, and the State Forester or equivalent official of the Indian tribe when developing their proposal. The State Forester's contact information may be found at *http://www.fs.fed.us/spf/coop/programs/loa/cfp.shtml.* All applicants must also send an email to *communityforest@fs.fed.us* to confirm an application has been submitted for funding consideration.

State Foresters and Tribal government officials shall submit applications to the appropriate Forest Service Regional/Area/Institute contact noted below.

Northern and Intermountain Regions

Regions 1 and 4, (ID, MT, ND, NV, UT)

Janet Valle, U.S. Forest Service, 324 25th St., Ogden, UT 84401, 801–625–5258 (phone), 801–625–5716 (fax), *jvalle@fs.fed.us.*

Rocky Mountain Region

Region 2, (CO, KS, NE, SD, WY)

Claire Harper, U.S. Forest Service, 740 Simms Street, Golden, CO 80401, 303–275–5178 (phone), 303–275–5754 (fax), *claireharper@fs.fed.us.*

Southwestern Region

Region 3, (AZ, NM)

Margee Haines, U.S. Forest Service, 333 Broadway SE, Albuquerque, NM 87102, 505–842–3881 (phone), 505–842–3165 (fax), *mhaines@fs.fed.us.*

Pacific Southwest Region

Region 5, (CA, HI, Guam, American Samoa, Federated States of Micronesia and other Pacific Islands,)

Dan McKeague, U.S. Forest Service, 1323 Club Drive, Vallejo, CA 94592, 707–562–8875 (phone), 707–562–9054 (fax), *dmckeague@fs.fed.us.*

Pacific Northwest, and Alaska Regions

Regions 6 and 10, (AK, OR, WA)

Brad Siemens, U.S. Forest Service, 120 Southwest 3rd Ave., Portland, OR 97204 (or), P.O. Box 3623, Portland, OR 97208–3623, 503–808–2353 (phone), 503–808–2469 (fax), *btsiemens@fs.fed.us.*

Southern Region

Region 8, (AL, AR, FL, GA, KY, LA, MS, NC, OK, SC, TN, TX, VA)

Mike Murphy, U.S. Forest Service, 1720 Peachtree Rd. NW., Suite 700B 850S North, Atlanta, GA 30309, 404–347–5214 (phone), 404–347–2776 (fax), *mwmurphy@fs.fed.us.*

International Institute of Tropical Forestry

(PR, VI)

Connie Carpenter, U.S. Forest Service, Jardin Botanico Sur, 1201 Calle Ceiba, San Juan, PR 00926–1119, 787–766–5335 x 222 (phone), 787–766–6263 (fax), *conniecarpenter@fs.fed.us.*

Northeastern Area

(CT, DE, IA, IL, IN, MA, MD, ME, MI, MN, MO, NH, NJ, NY, OH, PA, RI, VT, WI, WV)

Neal Bungard, U.S. Forest Service, 271 Mast Road, Durham, NH 03824–4600, 603–868–7719 (phone), 603–868–7604 (fax), *nbungard@fs.fed.us.*

FOR FURTHER INFORMATION CONTACT: For questions regarding the grant application or administrative regulations, contact Scott Stewart, Program Manager, 202–205–1618, *sstewart@fs.fed.us* or Maya Solomon, Program Coordinator, 202–205–1376, *mayasolomon@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 twenty-four hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION: *Catalog of Federal Domestic Assistance (CFDA) number 10.689:* To address the goals of Section 7A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103d) as amended, the Forest Service is requesting proposals for community forest projects that protect forest land that has been identified as a national, regional, or local priority for protection and to assist communities in acquiring forest land that will provide public recreation, environmental and economic benefits, and forest-based educational programs.

Detailed information regarding what to include in the application, definitions of terms, eligibility, and necessary prerequisites for consideration can be found in the final program rule, published October 20, 2011 (76 FR 65121–65133), which is available at *www.fs.fed.us/spf/coop/programs/loa/cfp.shtml* and at *www.grants.gov (Opportunity number CFP–FS–1002014).*

Grant Application Requirements

1. Eligibility Information

a. *Eligible Applicants.* A local governmental entity, Indian Tribe (including Alaska Native Corporations), or a qualified nonprofit organization that is qualified to acquire and manage land (see § 230.2 of the final rule). Individuals are not eligible to receive funds through this program.

b. *Cost Sharing (Matching Requirement).* All applicants must demonstrate a 50 percent match of the total project cost. The match can include cash, in-kind services, or donations, which shall be from a non-Federal source. For additional information, please see § 230.6 of the final rule at *www.fs.fed.us/spf/coop/programs/loa/cfp.shtml.*

c. *DUNS Number.* All applicants shall include a Data Universal Numbering System (DUNS) number in their application. For this requirement, the applicant is the entity that meets the eligibility criteria and has the legal authority to apply for and receive the grant. For assistance in obtaining a DUNS number at no cost, call the DUNS number request line 1–866–705–5711 or register on-line at *http://fedgov.dnb.com/webform.*

d. *System for Award Management.* All prospective awardees shall be registered in the System for Award Management prior to award, during performance, and through final payment of any grant resulting from this solicitation. Further information can be found at *www.sam.gov.* For assistance, contact Federal Service Desk 1–866–606–8220.

2. Award Information

The Administration proposed to fund the CFP at $4 million for fiscal year 2014. Individual grant applications may not exceed $400,000, which does not include technical assistance requests. The Federal Government's obligation under this program is contingent upon the availability of appropriated funds.

No legal liability on the part of the Government shall be incurred until funds are committed by the grant officer for this program to the applicant in writing. The initial grant period shall be for 2 years, and acquisition of lands should occur within that timeframe. Lands acquired prior to the grant award are not eligible for CFP funding. The grant may be reasonably extended by the Forest Service when necessary to accommodate unforeseen circumstances in the land acquisition process. Written annual financial performance reports and semi-annual project performance reports shall be required and submitted to the appropriate grant officer.

Technical assistance funds, totaling not more than 10 percent of all funds, may be allocated to State Foresters and equivalent officials of the Indian tribe. Technical assistance, if provided, will be awarded at the time of the grant. If seeking technical assistance funds, the applicant must work with the State Foresters and equivalent officials of the Indian tribe to determine technical assistance needs and include the technical assistance request in the project budget separate from the budget for the land acquisition.

As funding allows, applications submitted through this request may be funded in future years, subject to the availability of funds and the continued feasibility and viability of the project.

3. Application Information

Application submission. All local governments and qualified nonprofit organizations' applications must be submitted to the State Forester where the property is located by January 15, 2014. All Indian tribal applications must be submitted to the Tribal government officials of the Indian tribe by January 15, 2014. The State Forester's contact information may be found at *http://www.fs.fed.us/spf/coop/programs/loa/cfp.shtml.*

All applicants must also send an email to *communityforest@fs.fed.us* to confirm an application has been submitted for funding consideration.

All State Foresters and Tribal government officials must forward applications to the Forest Service by February 17, 2014.

4. Application Requirements

The following section outlines grant application requirements:

a. The application can be no more than eight pages long, plus no more than two maps (eight and half inches by eleven inches in size), the grant forms specified in (b), and the draft Community Forest Plan specified in (d).

b. The following grant forms and supporting materials must be included in the application:

(1) An Application for Federal Assistance (Standard Form 424);

(2) Budget information (Standard Form SF 424c—Construction Programs); and

(3) Assurances of compliance with all applicable Federal laws, regulations, and policies (Standard Form 424d—Construction Programs).

c. Documentation verifying that the applicant is an eligible entity and that the land proposed for acquisition is eligible (see § 230.2 of the final program rule).

d. Applications must include the following, regarding the property proposed for acquisition:

(1) A description of the property, including acreage and county location;

(2) A description of current land uses, including improvements;

(3) A description of forest type and vegetative cover;

(4) A map of sufficient scale to show the location of the property in relation to roads and other improvements as well as parks, refuges, or other protected lands in the vicinity;

(5) A description of applicable zoning and other land use regulations affecting the property;

(6) A description of relationship of the property within and its contributions to a landscape conservation initiative; and

(7) A description of any threats of conversion to non-forest uses, including any encumbrances on the property that prevent conversion to non-forest uses.

e. Information regarding the proposed establishment of a community forest, including:

(1) A description of the benefiting community, including demographics, and the associated benefits provided by the proposed land acquisition;

(2) A description of community involvement to-date in the planning of the community forest acquisition and of community involvement in anticipated long-term management;

(3) Identification of persons and organizations that support the project and their specific role in establishing and managing the community forest; and

(4) A draft Community Forest Plan. The eligible entity is encouraged to work with the State Forester or equivalent official of the Indian tribe for technical assistance when developing or updating the Community Forest Plan. In addition, the eligible entity is encouraged to work with technical specialists, such as professional foresters, recreation specialists, wildlife biologists, or outdoor education specialists, when developing the Community Forest Plan.

f. Information regarding the proposed land acquisition, including:

(1) A proposed project budget not exceeding $400,000 and any additional funds for technical assistance needs as coordinated with the State Forester or equivalent Indian tribe (§ 230.6 of the final program rule);

(2) The status of due diligence, including signed option or purchase and sale agreement, title search, minerals determination, and appraisal;

(3) Description and status of cost share (secure, pending, commitment letter, etc. (§ 230.6 of the final program rule));

(4) The status of negotiations with participating landowner(s) including purchase options, contracts, and other terms and conditions of sale;

(5) The proposed timeline for completing the acquisition and establishing the community forest; and

(6) Long term management costs and funding source(s).

g. Applications must comply with the Uniform Federal Assistance Regulations (7 CFR part 3015).

h. Applications must also include the forms required to process a Federal grant. Section 230.7 references the grant forms that must be included in the application and the specific administrative requirements that apply to the type of Federal grant used for this program.

A sample grant application outline can be found on the CFP Web site at: *http://www.fs.fed.us/spf/coop/programs/loa/cfp.shtml.*

5. Forest Service's Project Selection Criteria

a. Using the criteria described below, to the extent practicable, the Forest Service will give priority to applications that maximize the delivery of community benefits, as defined in the final rule (see § 230.2 of the final program rule); and

b. The Forest Service will evaluate all applications received by the State Foresters or Tribal government officials and award grants based on the following criteria:

(1) Type and extent of community benefits provided, including to underserved communities. Community benefits are defined in the final program rule as:

(i) Economic benefits such as timber and non-timber products;

(ii) Environmental benefits, including clean air and water, stormwater management, and wildlife habitat;

(iii) Benefits from forest-based experiential learning, including K–12 conservation education programs; vocational education programs in disciplines such as forestry and environmental biology; and environmental education through individual study or voluntary participation in programs offered by organizations such as 4–H, Boy or Girl Scouts, Master Gardeners, etc;

(iv) Benefits from serving as replicable models of effective forest stewardship for private landowners; and

(v) Recreational benefits such as hiking, hunting and fishing secured through public access.

(2) Extent and nature of community engagement in the establishment and long-term management of the community forest;

(3) Amount of cost share leveraged;

(4) Extent to which the community forest contributes to a landscape conservation initiative;

(5) Extent of due diligence completed on the project, including cost share committed and status of appraisal;

(6) Likelihood that, unprotected, the property would be converted to non-forest uses; and

(7) Costs to the Federal Government.

6. Grant Requirements

a. Once an application is selected, funding will be obligated to the grant recipient through a grant.

b. Local and Indian tribal governments should refer to 2 CFR part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A–87) and 7 CFR part 3016, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments for directions.

c. Nonprofit organizations should refer to 2 CFR part 215, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations, (OMB Circular A–110) and 7 CFR part 3019, Uniform Administrative Requirements for Grants and Cooperative Agreements, with Institutions of Higher Education, Hospitals, and other Nonprofit Organizations for directions.

d. Forest Service must approve any amendments to a proposal or request to reallocate funding within a grant proposal. If negotiations on a selected project fail, the applicant cannot substitute an alternative site.

e. The grant recipient must comply with the requirements in § 230.8 in the final rule before funds will be released.

f. After the project has closed, as a requirement of the grant, grant recipients must provide the Forest Service with a Geographic Information System (GIS) shapefile: a digital, vector-based storage format for storing geometric location and associated attribute information of CFP project tracts and cost share tracts, if applicable.

g. Any funds not expended within the grant period must be de-obligated and revert to the Forest Service.

h. All media, press, signage, and other documents discussing the creation of the community forest must reference the partnership and financial assistance by the Forest Service through the CFP. Additional information may be found in § 230.9 of the final rule.

Dated: July 15, 2013.

Vicki Christiansen,

Associate Deputy Chief, State and Private Forestry.

[FR Doc. 2013–20838 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Forest Service

Humboldt (NV) Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Humboldt (NV) Resource Advisory Committee (RAC) will meet in Winnemucca, Nevada. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 112–141) (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the RAC is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. The purpose of the meeting is to review and recommend any new proposed projects authorized under Title II of the Act to the Humboldt-Toiyabe Forest Supervisor and/or review prior year project accomplishments; lacking any new monetary authority, this meeting may be cancelled.

DATES: The meeting will be held on September 24, 2013 at 10:00 a.m., Pacific Standard Time.

ADDRESSES: The meeting will be held at the Humboldt County Court House, Room 201, 50 West 5th Street, Winnemucca, Nevada. The meeting can also be attended by teleconference by dialing 1–888–858–2144, access code 7727626.

Written comments may be submitted as described under Supplementary Information. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying.

FOR FURTHER INFORMATION CONTACT: Jeff Ulrich, RAC Designated Federal Official, at 775–352–1215.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Anyone who would like to bring related matters to the attention of the committee may file written statements with the Designated Federal Official before the meeting. A meeting agenda, public comments, and the meeting minutes will be posted at the RAC's Web site at *http://fs.usda.gov/goto/htnf/rac* within 21 days of the meeting. Written comments should be sent to Jeff Ulrich, Designated Federal Official, USDA Forest Service, Santa Rosa Ranger District, 1200 E. Winnemucca Blvd., Winnemucca, Nevada 89445. Comments may also be sent via email to *jlulrich@fs.fed.us* and/or *imburkholder@fs.fed.us,* or via facsimile to 775–625–1200.

Meeting Accommodations: If you require sign language interpreting, assistive listening devices or other reasonable accommodation please request this in advance of the meeting by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT.** All reasonable accommodation requests are managed on a case by case basis.

Dated: August 19, 2013.

William A. Dunkelberger,

Forest Supervisor Humboldt-Toiyabe National Forest.

[FR Doc. 2013–20851 Filed 8–26–13; 8:45 am]

BILLING CODE 3410–11–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the New York Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a planning meeting of the New York Advisory Committee to the Commission will convene at 12:00 p.m. (ET) on Friday, September 13, 2013, at the Law Offices of Sullivan and Cromwell, 535 Madison Avenue, New York, New York. The purpose of the meeting is for project planning.

Members of the public are entitled to submit written comments. The comments must be received in the regional office by Monday, October 14, 2013. Comments may be mailed to the Eastern Regional Office, U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue, Suite 1150, Washington, DC 20425, faxed to (202) 376–7548, or emailed to *ero@usccr.gov*. Persons who desire additional information may contact the Eastern Regional Office at 202–376–7533.

Persons needing accessibility services should contact the Eastern Regional Office at least 10 working days before the scheduled date of the meeting.

Records generated from this meeting may be inspected and reproduced at the Eastern Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, *www.usccr.gov,* or to contact the Eastern Regional Office at the above phone number, email or street address.

The meetings will be conducted pursuant to the provisions of the rules and regulations of the Commission and FACA.

Agenda

I. Administrative Matters
  Update on HQ Activities
  Paperwork
II. Planning Meeting
  Review of SAC Project Proposals
  Decision on Projects
  Formation of Working Groups and Subcommittees
III. Next Steps and Assignments
  Project Timetable
  Next Meeting
IV. Adjournment

Dated on August 21, 2013.

David Mussatt,

Acting Chief, Regional Programs Coordination Unit.

[FR Doc. 2013–20755 Filed 8–26–13; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, Department of Commerce.

ACTION: Notice and Opportunity for Public Comment.

Pursuant to Section 251 of the Trade Act 1974, as amended (19 U.S.C. 2341 *et seq.*), the Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive

with those produced by each of these firms contributed importantly to the total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[8/9/2013 through 8/21/2013]

Firm name	Firm address	Date accepted for Investigation	Product(s)
M. Carder Industries, Inc.	1634 Manufacturers Drive, Fenton, MO 63026.	8/16/2013	Firm manufactures metal nozzles, swivels and breakaway couplings for pumps that dispense and measure gasoline.
Humphrey Products Company	5070 East N Ave., Kalamazoo, MI 49048.	8/16/2013	Firm manufactures pneumatic and fluid control products, primarily solenoid valves.
Innovative Rack & Gear Co. Inc.	365 Balm Court, Wood Dale, IL 60191	8/19/2013	The firm manufactures gears and gear racks to customer specifications.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance for Firms Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Dated: August 21, 2013.

Michael DeVillo,

Eligibility Examiner.

[FR Doc. 2013–20855 Filed 8–26–13; 8:45 am]

BILLING CODE 3510–WH–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Regulations and Procedures Technical Advisory Committee; Notice of Partially Closed Meeting

The Regulations and Procedures Technical Advisory Committee (RPTAC) will meet September 10, 2013, 9:00 a.m., Room 3884, in the Herbert C. Hoover Building, 14th Street between Constitution and Pennsylvania Avenues NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration on implementation of the Export Administration Regulations (EAR) and provides for continuing review to update the EAR as needed.

Agenda

Public Session

1. Opening remarks by the Chairman.
2. Opening remarks by Bureau of Industry and Security.
3. Export Enforcement update.
4. Regulations update.
5. Working group reports.
6. Automated Export System (AES) update.
7. Presentation of papers or comments by the Public.

Closed Session

8. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 10(a)(1) and 10(a)(3).

The open session will be accessible via teleconference to 25 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at *Yvette.Springer@bis.doc.gov* no later than September 3, 2013.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via email.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 4, 2013, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 (10)(d)), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482–2813.

Dated: August 19, 2013.

Yvette Springer,

Committee Liaison Officer.

[FR Doc. 2013–20848 Filed 8–26–13; 8:45 am]

BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Transportation and Related Equipment Technical Advisory Committee; Notice of Partially Closed Meeting

The Transportation and Related Equipment Technical Advisory Committee will meet on September 11, 2013, 9:30 a.m., in the Herbert C. Hoover Building, Room 3884, 14th Street between Constitution & Pennsylvania Avenues, NW., Washington, DC The Committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to transportation and related equipment or technology.

Agenda

Public Session

1. Welcome and Introductions.
2. Status reports by working group chairs.
3. Public comments and Proposals.

Closed Session

4. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3).

The open session will be accessible via teleconference to 20 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at *Yvette.Springer@bis.doc.gov* no later than September 4, 2013.

A limited number of seats will be available during the public session of the meeting. Reservations are not accepted. To the extent time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of public presentation materials to Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via email.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on October 19, 2012, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 § (10)(d)), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482–2813.

Dated: August 15, 2013.

Yvette Springer,

Committee Liaison Officer.

[FR Doc. 2013–20847 Filed 8–26–13; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–427–818]

Low Enriched Uranium From France: Initiation of Expedited Changed Circumstances Review, and Preliminary Results of Changed Circumstances Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: Pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216 and 351.221(c)(3), the Department of Commerce (Department) is initiating a changed circumstances review (CCR) of the antidumping duty order on low-enriched uranium from France with respect to Eurodif S.A. and AREVA NP Inc. (collectively, AREVA). Moreover, the Department has determined that it is appropriate to conduct this CCR on an expedited basis. Thus, the Department has preliminarily determined to extend the deadline for the re-exportation of one specified entry of LEU until November 1, 2015. The Department has also preliminarily determined that this will be the final extension. We invite interested parties to comment on these preliminary results.

DATES: *Effective Date:* August 27, 2013.

FOR FURTHER INFORMATION CONTACT: Andrew Huston or Dana Mermelstein, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4261 or (202) 482–1391, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 13, 2002, the Department published an order on low-enriched uranium from France.[1] The order contains a provision to exclude from the scope low-enriched uranium owned by a:

> foreign utility end-user and imported into the United States by or for such end-user solely for purposes of conversion by a U.S. fabricator into uranium dioxide (UO_2) and/or fabrication into fuel assemblies so long as the uranium dioxide and/or fuel assemblies deemed to incorporate such imported LEU (i) remain in the possession and control of the U.S. fabricator, the foreign end-user, or their designed transporter(s) while in U.S. customs territory, and (ii) are re-exported within eighteen (18) months of entry of the LEU for consumption by the end-user in a nuclear reactor outside the United States. Such entries must be accompanied by the certifications of the importer and end user.[2]

On December 5, 2011, AREVA requested that the Department initiate and conduct an expedited CCR to amend the scope of the order to extend by 18 months the deadline for re-exporting an entry of low-enriched uranium for which AREVA reported it would not be able to meet the deadline for re-exportation.[3] At the time of entry, the low-enriched uranium at issue met the requirements for exclusion from the scope outlined above. On April 2, 2012, the Department published the final results of the CCR, extending the deadline for re-exportation of this sole entry by 18 months, to no later than November 1, 2013.[4]

On July 8, 2013, AREVA requested that the Department initiate a CCR in order to further extend the period for the re-exportation this sole entry of low-enriched uranium from November 1, 2013, until November 1, 2015. AREVA also requested that the Department conduct the review on an expedited basis. On August 7, 2013, USEC, Inc., and its subsidiary, United States Enrichment Corporation (collectively, USEC), filed a letter indicating that it does not object to a further extension of the deadline, as requested by AREVA, for the re-exportation of this one shipment.

Scope of the Order

The product covered by the order is all low-enriched uranium. Low-enriched uranium is enriched uranium hexafluoride (UF_6) with a U^{235} product assay of less than 20 percent that has not been converted into another chemical form, such as UO_2, or fabricated into nuclear fuel assemblies, regardless of the means by which the LEU is produced (including low-enriched uranium produced through the down-blending of highly enriched uranium).

Certain merchandise is outside the scope of the order. Specifically, the order does not cover enriched uranium hexafluoride with a U^{235} assay of 20 percent or greater, also known as highly-enriched uranium. In addition, fabricated low-enriched uranium is not covered by the scope of the order. For purposes of the order, fabricated uranium is defined as enriched uranium dioxide (UO_2), whether or not contained in nuclear fuel rods or assemblies. Natural uranium concentrates (U_3O_8) with a U^{235} concentration of no greater than 0.711 percent and natural uranium concentrates converted into uranium hexafluoride with a U^{235} concentration of no greater than 0.711 percent are not covered by the scope of the order.

Also excluded from the order is low-enriched uranium owned by a foreign utility end-user and imported into the United States by or for such end-user solely for purposes of conversion by a U.S. fabricator into uranium dioxide (UO_2) and/or fabrication into fuel

[1] *See Notice of Amended Final Determination and Notice of Antidumping Duty Order: Low Enriched Uranium From France,* 67 FR 6680 (February 13, 2002).

[2] *See id.*

[3] *See* Letter from AREVA, ''Low Enriched Uranium from France,'' dated December 5, 2011.

[4] *See Low Enriched Uranium from France: Final Results of Antidumping Duty Changed Circumstances Review,* 77 FR 19642 (April 2, 2012) (*Final Results of Changed Circumstances Review*).

assemblies so long as the uranium dioxide and/or fuel assemblies deemed to incorporate such imported low-enriched uranium (i) remain in the possession and control of the U.S. fabricator, the foreign end-user, or their designed transporter(s) while in U.S. customs territory, and (ii) are re-exported within eighteen (18) months of entry of the low-enriched uranium for consumption by the end-user in a nuclear reactor outside the United States. Such entries must be accompanied by the certifications of the importer and end user.

The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2844.20.0020. Subject merchandise may also enter under 2844.20.0030, 2844.20.0050, and 2844.40.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this proceeding is dispositive.

Initiation of Changed Circumstances Review

Pursuant to section 751(b) of the Act and 19 CFR 351.216 and 351.221(c)(3), the Department is initiating a CCR of the antidumping duty order on low-enriched uranium from France with respect to AREVA. Based on the information and documentation AREVA submitted in its July 8, 2013, letter we find that we have received information which shows changed circumstances sufficient to warrant initiation of a review to determine if circumstances support the extension of the time period to re-export the specified entry of low-enriched uranium. Further, the Department finds that it is appropriate to conduct this review on an expedited basis, and issue the preliminary results along with this initiation.

Preliminary Results of Expedited Changed Circumstances Review

Based on the Department's analysis of the information provided by AREVA with its request for CCR, in accordance with 19 CFR 351.216, we preliminarily determine to amend the scope of the order to extend by an additional 18 months the deadline for re-exporting the LEU entry at issue. AREVA imported the entry of LEU at issue into the United States on November 1, 2010, for fabrication and subsequent re-exportation to the end-user, the Japanese customer. The entry met the conditions in the scope of the order for exclusion from the order; both the importer and the end-user filed with U.S. Customs and Border Protection (CBP) the certifications required for exclusion. As a result of the shutdown of the Hamaoka nuclear power facility following the March 11, 2011 earthquake and tsunami in Japan, the Department extended the 18-month period for the re-exportation of this entry by an additional 18 months, until November 1, 2013, and new certifications were filed with CBP by the importer and the end-user.[5]

AREVA's July 8, 2013, request explains its end-user is not yet in a position to take delivery of the low-enriched uranium. AREVA provided documents with its request indicating that the improvements and the earthquake and tsunami countermeasures at the Hamaoka facility have not been completed, as previously anticipated, and the Japanese end-user was unable to take delivery of the subject merchandise within both the original and the second, subsequent, 18-month periods (*i.e.,* since the shutdown of the Hamaoka nuclear power facility following the March 11, 2011 earthquake and tsunami in Japan), and the end-user remains unable to take delivery. Specifically, AREVA provided a timeline, and correspondence from Chubu Electric Power Co. Inc. and the Japanese Ministry of Economy, Trade and Industry regarding improvements to the Hamaoka Nuclear Power Station and the anticipated completion of the earthquake and tsunami countermeasures at the Hamaoka facility.[6]

We preliminarily find that the evidence provided by AREVA is sufficient to establish that changed circumstances exist. Therefore, in accordance with 19 CFR 351.216, we preliminarily find that it is appropriate to extend further the deadline for re-exportation of this sole entry of low-enriched uranium by an additional 24 months. Should these preliminary results remain unchanged in the final results, we will extend the deadline for re-exportation of this entry to no later than November 1, 2015. AREVA and the end-user will be required to provide new certifications to CBP prior to the current deadline for re-exportation of this entry, *i.e.,* November 1, 2013. Furthermore, because the result of the extensions is that AREVA would have five years from the date of the entry to re-export the entry, we preliminarily determine that it is appropriate to make this extension final. Accordingly, AREVA will be required to comply with the terms of the new certifications by November 1, 2015, with no further extension. Because the low-enriched uranium shipment was entered as a ''type 1'' entry for consumption, outside the scope of the order, and not suspended or subject to antidumping duties, we will require AREVA to provide an additional certification by November 1, 2015, stating its agreement that it will pay antidumping duties on the entry at the applicable rate if the re-exportation deadline of November 1, 2015 is not met.

Public Comment

The Department specifically requests that parties comment on the Department's preliminary determination that this extension will be final, addressing if relevant an appropriate alternative for establishing an end-date by which the re-exportation of this shipment should be required, or any other options for the final resolution of this matter.

Any interested party may request a hearing within 15 days of publication of this notice. Any hearing, if requested, will be held no later than 27 days after the date of publication of this notice, or the first business day thereafter. Persons interested in attending the hearing, if one is requested, should contact the Department for the date and time of the hearing. Case briefs from interested parties may be submitted not later than 15 days after the date of publication of this notice. Rebuttal briefs, limited to the issues raised in the case briefs, may be filed no later than five days after the submission of case briefs. All written comments shall be submitted in accordance with 19 CFR 351.303. Parties are reminded that as of August 5, 2011, with certain, limited exceptions, all submissions for all proceedings must be filed electronically using Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS).[7] An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Time (ET) on the deadline.

The Department intends to issue the final results of this CCR no later than October 31, 2013. This date may be extended in accordance with 19 CFR 351.216(e). The final results will include the Department's analysis of issues raised in any written comments.

We are issuing and publishing these preliminary results and notice in

[5] *See Final Results of Changed Circumstances Review.*

[6] *See* Letter from AREVA, ''Low Enriched Uranium from France: Request for Changed Circumstances Review,'' dated July 8, 2013.

[7] For additional information on IA ACCESS, please visit *https://iaaccess.trade.gov/help.aspx.*

accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Act and 19 CFR 351.216.

Dated: August 26, 2013.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

[FR Doc. 2013–20899 Filed 8–26–13; 8:45 am]

BILLING CODE 3510–DS–P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Determination Under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (''CAFTA–DR Agreement'')

AGENCY: The Committee for the Implementation of Textile Agreements.

ACTION: Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA–DR agreement.

SUMMARY: The Committee for the Implementation of Textile Agreements (''CITA'') has determined that certain polyester/nylon cut corduroy fabric, as specified below, is not available in commercial quantities in a timely manner in the CAFTA–DR countries. The product will be added to the list in Annex 3.25 of the CAFTA–DR Agreement in unrestricted quantities.

DATES: Effective August 27, 2013.

FOR FURTHER INFORMATION CONTACT: Maria Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–3651.

For Further Information Online: http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf under ''Approved Requests,'' Referencen number: 184.2013.07.25.Fabric.Alston&BirdforSPCGlobal

SUPPLEMENTARY INFORMATION:

Authority: The CAFTA–DR Agreement; Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (''CAFTA–DR Implementation Act''), Public Law 109–53; the Statement of Administrative Action, accompanying the CAFTA–DR Implementation Act; and Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

Background:

The CAFTA–DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA–DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA–DR Agreement provides that this list may be modified pursuant to Article 3.25(4)–(5), when the President of the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. *See* Annex 3.25 of the CAFTA–DR Agreement; *see also* section 203(o)(4)(C) of the CAFTA–DR Implementation Act.

The CAFTA–DR Implementation Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA–DR Implementation Act for modifying the Annex 3.25 list. Pursuant to this authority, on September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list of products determined to be not commercially available in the territory of any Party to CAFTA–DR (*Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement,* 73 FR 53200) (''CITA's procedures'').

On July 25, the Chairman of CITA received a request for a Commercial Availability determination (''Request'') from Alston & Bird, LLP on behalf of SPC Global, LLC, for certain polyester/nylon cut corduroy fabric, as specified below. On July 29, 2013, in accordance with CITA's procedures, CITA notified interested parties of the Request, which was posted on the dedicated Web site for CAFTA–DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply (''Response'') must be submitted by August 8, 2013, and any Rebuttal Comments to a Response must be submitted by August 14, 2013, in accordance with sections 6 and 7 of CITA's procedures. No interested entity submitted a Response to the Request advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA–DR Implementation Act, and section 8(c)(2) of CITA's procedures, as no interested entity submitted a Response to object to the Request with an offer to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA–DR Agreement.

The subject product has been added to the list in Annex 3.25 of the CAFTA–DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated Web site for CAFTA–DR Commercial Availability proceedings.

Specifications: Certain Polyester/Nylon Cut Corduroy Fabric.

HTS: 5801.32.0000.

Fiber Content: 80–95% polyester, 5–20% nylon.

Yarn Size:

Warp: Polyester filament between 111–222 decitex (English: 100–200 denier).

Fill: Polyester filament 111–278 decitex (English: 100–250 denier) and bi-constituent polyester-nylon filament between 222–389 decitex (English: 200–350 denier).

NOTE 1: In the bi-constituent yarn, the polyester and nylon are mixed prior to extrusion.

NOTE 2: The yarn size designations describe a range of specifications for yarn in its greige condition. They are intended as specifications to be followed by the mill in sourcing yarn used to produce the fabric. Weaving, dyeing, and finishing can alter the characteristics of the yarn as it appears in the finished fabric. This specification therefore includes yarns appearing in the finished fabric as finer or coarser than the designated yarn sizes provided that the variation occurs after processing of the greige yarn and production of the fabric.

Thread count: 20–34 warp ends x 50–67 fill picks per centimeter (English: 50–86 warp ends x 127–170 fill picks per inch).

Weight: 220–290 grams per sq. meter (English: 6.48–8.55 oz per sq. yard).

Width: 142–162 cm (English: 56–64 inches).

Weave: Cut corduroy with 3–6 wales per cm (English: 8–16 wales per inch).

Finishing: Piece dyed or of yarns of different colors.

Kim Glas,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 2013–20765 Filed 8–26–13; 8:45 am]

BILLING CODE 3510–DS–P

COMMODITY FUTURES TRADING COMMISSION

Fees for Reviews of the Rule Enforcement Programs of Designated Contract Markets and Registered Futures Associations

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of FY 2013 Schedule of Fees.

SUMMARY: The Commission charges fees to designated contract markets and registered futures associations to recover the costs incurred by the Commission in the operation of its program of oversight of self-regulatory organization rule enforcement programs, specifically National Futures Association, a

registered futures association, and the designated contract markets. The calculation of the fee amounts charged for FY 2013 by this notice is based upon an average of actual program costs incurred during FY 2010, 2011, and 2012.

DATES: *Effective date:* Each SRO is required to remit electronically the fee applicable to it on or before October 28, 2013.

FOR FURTHER INFORMATION CONTACT: Mark Carney, Chief Financial Officer, Commodity Futures Trading Commission, (202) 418–5477, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581. For information on electronic payment, contact Jennifer Fleming, (202) 418–5034, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

I. Background Information

A. General

This notice relates to fees for the Commission's review of the rule enforcement programs at the registered futures associations [1] and designated contract markets (DCM) each of which is a self-regulatory organization (SRO) regulated by the Commission. The Commission recalculates the fees charged each year to cover the costs of operating this Commission program.[2] All costs are accounted for by the Commission's Budget Program Activity Codes (BPAC) system, formerly the Management Accounting Structure Codes (MASC) system, which records each employee's time for each pay period. The fees are set each year based on direct program costs, plus an overhead factor. The Commission calculates actual costs, then calculates an alternate fee taking volume into account, then charges the lower of the two.[3]

B. Overhead Rate

The fees charged by the Commission to the SROs are designed to recover program costs, including direct labor costs and overhead. The overhead rate is calculated by dividing total Commission-wide overhead direct program labor costs into the total amount of the Commission-wide overhead pool. For this purpose, direct program labor costs are the salary costs of personnel working in all Commission programs. Overhead costs consist generally of the following Commission-wide costs: indirect personnel costs (leave and benefits), rent, communications, contract services, utilities, equipment, and supplies. This formula has resulted in the following overhead rates for the most recent three years (rounded to the nearest whole percent): 153 percent for fiscal year 2010, 145 percent for fiscal year 2011, and 161 percent for fiscal year 2012.

C. Conduct of SRO Rule Enforcement Reviews

Under the formula adopted by the Commission in 1993, the Commission calculates the fee to recover the costs of its rule enforcement reviews and examinations, based on the three-year average of the actual cost of performing such reviews and examinations at each SRO. The cost of operation of the Commission's SRO oversight program varies from SRO to SRO, according to the size and complexity of each SRO's program. The three-year averaging computation method is intended to smooth out year-to-year variations in cost. Timing of the Commission's reviews and examinations may affect costs—a review or examination may span two fiscal years and reviews and examinations are not conducted at each SRO each year.

As noted above, adjustments to actual costs may be made to relieve the burden on an SRO with a disproportionately large share of program costs. The Commission's formula provides for a reduction in the assessed fee if an SRO has a smaller percentage of United States industry contract volume than its percentage of overall Commission oversight program costs. This adjustment reduces the costs so that, as a percentage of total Commission SRO oversight program costs, they are in line with the pro rata percentage for that SRO of United States industry-wide contract volume.

The calculation is made as follows: The fee required to be paid to the Commission by each DCM is equal to the lesser of actual costs based on the three-year historical average of costs for that DCM or one-half of average costs incurred by the Commission for each DCM for the most recent three years, plus a pro rata share (based on average trading volume for the most recent three years) of the aggregate of average annual costs of all DCMs for the most recent three years. The formula for calculating the second factor is: 0.5a + 0.5 vt = current fee. In this formula, ''a'' equals the average annual costs, ''v'' equals the percentage of total volume across DCMs over the last three years, and ''t'' equals the average annual costs for all DCMs. NFA has no contracts traded; hence, its fee is based simply on costs for the most recent three fiscal years. This table summarizes the data used in the calculations of the resulting fee for each entity:

	Actual total costs			3-year average actual costs	3-year % of volume	Volume adjusted costs	FY 2013 assessed fee
	FY 2010	*FY 2011*	*FY 2012*				
CBOE Futures	$	$98,556	29,278	$42,611	0.34	$23,914	$23,914
Chicago Board of Trade	87,953	5,260	238,392	110,535	29.25	280,868	110,535
Chicago Mercantile Exchange	882,542	422,837	757,347	687,575	50.14	730,502	687,575
ELX Futures	.....	.....	34,593	11,531	0.341	8,397	8,397
ICE Futures U.S.	94,043	17,624	221,813	111,160	3.20	80,237	80,237
Kansas City Board of Trade	227,296	30,976	34,335	97,536	0.18	50,133	50,133
Minneapolis Grain Exchange	.....	88,790	60,897	49,896	0.05	25,321	25,321
NADEX North American	.....	.....	11,293	3,764	0.000	1,882	1,882
New York Mercantile Exchange	596,767	136,565	7,411	246,915	15.93	246,340	246,340
New York LIFFE	.....	416,069	71,317	162,462	0.42	84,495	84,495
One Chicago	.....	.....	55,755	18,585	0.141	10,382	10,382
Subtotal	1,888,601	1,216,678	1,522,431	1,542,570	100	1,542,470	1,329,210
National Futures Association	1,206,393	416,615	487,328	703,445	.....	.....	703,445

[1] NFA is the only registered futures association.

[2] *See* section 237 of the Futures Trading Act of 1982, 7 U.S.C. 16a, and 31 U.S.C. 9701. For a broader discussion of the history of Commission fees, *see* 52 FR 46070, Dec. 4, 1987.

[3] 58 FR 42643, Aug. 11, 1993, and 17 CFR part 1, app. B.

	Actual total costs			3-year average actual costs	3-year % of volume	Volume adjusted costs	FY 2013 assessed fee
	FY 2010	*FY 2011*	*FY 2012*				
Total	3,094,994	1,633,293	2,009,759	2,246,015			2,032,655

An example of how the fee is calculated for one exchange, the Chicago Board of Trade, is set forth here:

a. Actual three-year average costs equal 110,535.

b. The alternative computation is: (.5) (110,535) + (.5) (.292) (1,542,570) = 280,868.

c. The fee is the lesser of a or b; in this case 110,535.

As noted above, the alternative calculation based on contracts traded is not applicable to NFA because it is not a DCM and has no contracts traded. The Commission's average annual cost for conducting oversight review of the NFA rule enforcement program during fiscal years 2010 through 2012 was 708,424 (one-third of 2,125,273). The fee to be paid by the NFA for the current fiscal year is 708,424.

II. Schedule of Fees

Therefore, fees for the Commission's review of the rule enforcement programs at the registered futures associations and DCMs regulated by the Commission are as follows:

	2013 fee lesser of actual or calculated fee
CBOE Futures	$23,914
Chicago Board of Trade	110,535
Chicago Mercantile Exchange	687,575
ELX Futures	8,397
ICE Futures U.S.	80,237
Kansas City Board of Trade	50,133
Minneapolis Grain Exchange	25,321
NADEX North American	1,882
New York Mercantile Exchange	246,340
New York LIFFE	84,495
One Chicago	10,382
Subtotal	1,329,210
National Futures Association	703,445
Total	2,032,655

III. Payment Method

The Debt Collection Improvement Act (DCIA) requires deposits of fees owed to the government by electronic transfer of funds. *See* 31 U.S.C. 3720. For information about electronic payments, please contact Jennifer Fleming at (202) 418–5034 or *jfleming@cftc.gov,* or see the CFTC Web site at *www.cftc.gov,* specifically, *www.cftc.gov/cftc/cftcelectronicpayments.htm.*

Authority: 7 U.S.C. 16a.

Issued in Washington, DC, on August 21, 2013, by the Commission.

Christopher J. Kirkpatrick,

Deputy Secretary of the Commission.

[FR Doc. 2013–20772 Filed 8–26–13; 8:45 am]

BILLING CODE 6351–01–P

CONSUMER FINANCIAL PROTECTION BUREAU

Consumer Financial Protection Bureau Notice of Availability of Final Environmental Assessment (FINAL EA) and a Finding of No Significant Impact (FONSI) for Renovation and Modernization of the Organization Headquarters Building, Washington, DC

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice of Availability of Final Environmental Assessment (FINAL EA) and a Finding of No Significant Impact (FONSI) for Renovation and Modernization of the organization headquarters building located at 1700 G Street NW., Washington, DC.

SUMMARY: The Consumer Financial Protection Bureau (CFPB) is issuing this notice to advise the public that, on January 3, 2013, the CFPB prepared and completed, a Finding of No Significant Impact (FONSI) based on the Final Environmental Assessment (FINAL EA) for the project at 1700 G Street NW., Washington, DC is to modernize the interior and courtyard space of the building. The building is currently used as the headquarters for the Consumer Financial Protection Bureau (CFPB). Originally built in 1976, the building has three below ground levels that extend beneath a large public courtyard (two of which include secured parking) and seven floors above ground with the highest reserved for mechanical equipment. Storefront retail is located at the ground level. The CFPB prepared the final EA, dated July 2013, in accordance with the National Environmental Policy Act (NEPA).

DATES: Comments must be received no later than September 25, 2013. The FONSI and/or Final EA are available as of the publication date of this notice.

ADDRESSES: Interested parties may request copies of the FONSI and/or Final EA, from: Consumer Financial Protection Bureau, Facilities Office—Projects, 1700 G Street NW., Washington, DC, 20552. You may submit comments by any of the following methods:

- *Electronic: michael.davis@cfpb.gov.*
- *Mail/Hand Delivery/Courier:* Michael Davis, Project Manager, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552. All comments, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

FOR FURTHER INFORMATION CONTACT: Michael Davis, Project Manager, Office of Administrative Operations, at (202) 435–9405.

SUPPLEMENTARY INFORMATION: The Final EA evaluated the future project at 1700 G Street NW., Washington, DC to modernize the interior and courtyard space of the building. The building is currently used as the headquarters for the Consumer Financial Protection Bureau (CFPB). Originally built in 1976, the building has three below ground levels that extend beneath a large public courtyard (two of which include secured parking) and seven floors above ground with the highest reserved for mechanical equipment. Storefront retail is located at the ground level. The Final EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969. Based on the results of the EA, the CFPB has issued a Finding of No Significant Impact (FONSI) indicating that the proposed action will not have a significant impact on the environment. Minimization and mitigating measures will include: Compliance with applicable regulatory laws, procedures, and permits for all construction activities; site review by state historic preservation office before construction to avoid disturbance of any site with the potential for historical significance; and the application of best management practices (BMP) to minimize short term air quality and noise impact during construction activities.

Dated: August 21, 2013.

Christopher D'Angelo,

Chief of Staff, Bureau of Consumer Financial Protection.

[FR Doc. 2013–20896 Filed 8–26–13; 8:45 am]

BILLING CODE 4810–AM–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Proposed Information Collection; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

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

Currently, CNCS is soliciting comments concerning AmeriCorps Application Instructions: Administrative, Program Development and Training grants. State commissions will respond to the questions included in this ICR in order to apply for funding through these grants and to report on progress and performance measures.

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

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by October 28, 2013.

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

(1) By mail sent to: Corporation for National and Community Service; Attention James Stone, Senior Program and Project Specialist, Room 9518–B; 1201 New York Avenue NW., Washington, DC 20525.

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

(3) By fax to: (202) 606–3476, Attention James Stone, Senior Program and Project Specialist.

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

FOR FURTHER INFORMATION CONTACT: James Stone, (202) 606–6885, or by email at *jstone@cns.gov.*

SUPPLEMENTARY INFORMATION: *CNCS is particularly interested in comments that:*

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

Background

These application instructions will be used by applicants for funding through AmeriCorps State and National Administrative, Program Development and Training, and Disability grants and funded grantees for reporting purposes.

Current Action

CNCS seeks clear a new set of AmeriCorps Administrative, Program Development and Training, and Disability Application Instructions. The Application Instructions are being revised for increased clarity and to align with national performance measures. The Application Instructions will be used on an annual basis by State Service Commissions to report on progress and apply for funding.

Type of Review: Reinstatement.

Agency: Corporation for National and Community Service.

Title: AmeriCorps Application Instructions: State Commissions; Administrative, Program Development and Training, and Disability.

OMB Number: 3045–0099.

Agency Number: None.

Affected Public: Nonprofit organizations, State, Local and Tribal.

Total Respondents: 54.

Frequency: Annually.

Average Time Per Response: 37 hours.

Estimated Total Burden Hours: 1,998 hours.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

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

Dated: August 21, 2013.

James R. Stone,

Senior Program and Projects Specialist, AmeriCorps State and National.

[FR Doc. 2013–20785 Filed 8–26–13; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2013–HA–0180]

Proposed Collection; Comment Request; Correction

AGENCY: Office of the Assistant Secretary of Defense for Health Affairs, DoD.

ACTION: Notice; correction.

SUMMARY: On Tuesday, August 20, 2013 (78 FR 51172–51173), the Department of Defense published a notice titled Proposed Collection; Comment Request. Subsequent to the publication of this notice in the **Federal Register**, DoD discovered that the Docket ID was printed incorrectly to read DoD–2008–HA–0180. The Docket ID is corrected to read as set forth in this notice. The corrected Docket ID should read DoD–2013–HA–0180.

DATES: This notice is effective on August 27, 2013.

FOR FURTHER INFORMATION CONTACT: Fred Licari, 571–372–0493.

Dated: August 22, 2013.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2013–20818 Filed 8–26–13; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Docket No. ED–2013–ICCD–0082]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and approval; Comment Request; Elementary and Secondary Improvement Formula Grants

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before September 26, 2013.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2013–ICCD–0082 or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 2E105, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: Tomakie Washington, 202–401–1097 or electronically mail *ICDocketMgr@ed.gov.* Please do not send comments here.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Elementary and Secondary Improvement Formula Grants.

OMB Control Number: 1810–0682.

Type of Review: Extension without change of an existing collection of information.

Respondents/Affected Public: State, Local, or Tribal Governments.

Total Estimated Number of Annual Responses: 3,102.

Total Estimated Number of Annual Burden Hours: 229,800.

Abstract: This information collection request covers requirements for applications to the School Improvement Grants program. On January 21, 2010, the U.S. Department of Education (Department) published final requirements and a State educational agency (SEA) application for the School Improvement Grants (SIG) program authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, and funded through the Department of Education Appropriations Act, 2009, and the American Recovery and Reinvestment Act of 2009 (ARRA) (FY 2009). The final requirements defined the criteria that an SEA must use to award FY 2013 SIG funds to local educational agencies (LEAs). In awarding these funds, an SEA must give priority to the LEAs with the lowest-achieving schools that demonstrate the greatest need for the funds and the strongest commitment to using the funds to provide adequate resources to their lowest-achieving schools that are eligible to receive services provided through SIG funds in order to raise substantially the achievement of the students attending those schools. The information collection activities consist of: (1) Applications for an SEA to submit to the Department to apply for FY 2013 SIG funds; (2) the reporting of specific school-level data on the use of SIG funds and specific interventions implemented in LEAs receiving SIG funds that the Department currently collects through EDFacts; (3) the process for an LEA to apply to its SEA for SIG funds; and (4) the SEAs posting its LEAs applications on the SEAs Web site.

Dated: August 22, 2013.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2013–20820 Filed 8–26–13; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Secretary of Energy Advisory Board

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an open meeting of the Secretary of Energy Advisory Board (SEAB). SEAB was reestablished pursuant to the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) (the Act). This notice is provided in accordance with the Act.

DATES: Friday, September 13, 2013, 9:00 a.m.–2:00 p.m.

ADDRESSES: Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Amy Bodette, Designated Federal Officer, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585; telephone (202) 586–0383 or facsimile (202) 586–1441; *seab@hq.doe.gov*.

SUPPLEMENTARY INFORMATION:

Background: The Board was established to provide advice and recommendations to the Secretary on the Department's basic and applied research, economic and national security policy, educational issues, operational issues and other activities as directed by the Secretary.

Purpose of the Meeting: The meeting will provide an overview to the Board.

Tentative Agenda: The meeting will start at 9:00 a.m. on September 16 and will serve as an introductory meeting for the Board. The tentative meeting agenda includes a report on plans for SEAB Task forces, briefings, and comments from the public on suggestions for SEAB work. The meeting will conclude at 2:00 p.m.

Public Participation: The meeting is open to the public. Individuals who would like to attend must RSVP to Amy Bodette by email at *seab@hq.doe.gov*, no later than 5:00 p.m. on Tuesday, September 10, 2013. Please provide your name, organization, citizenship and contact information. Anyone attending the meeting will be required to present government-issued identification. Individuals and representatives of organizations who would like to offer comments and suggestions may do so at the end of the meeting on Friday, September 13, 2013. Approximately 30 minutes will be reserved for public comments. Time allotted per speaker will depend on the number who wish to speak but will not exceed five minutes. The Designated Federal Officer is empowered to conduct the meeting in a fashion that

will facilitate the orderly conduct of business. Those wishing to speak should register to do so beginning at 8:30 a.m. on September 13, 2013.

Those not able to attend the meeting or have insufficient time to address the committee are invited to send a written statement to Amy Bodette, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, or by email to: *seab@hq.doe.gov*.

Minutes: The minutes of the meeting will be available by contacting Ms. Bodette. She may be reached at the postal address or email address above or by visiting SEAB's Web site at *www.energy.gov/seab*.

Issued in Washington, DC on August 21, 2013.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2013–20861 Filed 8–26–13; 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: RP13–1252–000.
Applicants: Elba Express Company, L.L.C.
Description: BG Negotiated Rate—Clean Up to be effective 9/1/2013.
Filed Date: 8/16/13.
Accession Number: 20130816–5013.
Comments Due: 5 p.m. E.T. 8/28/13.

Docket Numbers: RP13–1253–000.
Applicants: Trunkline LNG Company, LLC.
Description: Misc. Revenue Surcharge Report.
Filed Date: 8/16/13.
Accession Number: 20130816–5056.
Comments Due: 5 p.m. E.T. 8/28/13.

Docket Numbers: RP13–1254–000.
Applicants: Enable Gas Transmission, LLC.
Description: Enable Name Change Filing to be effective 8/16/2013.
Filed Date: 8/16/13.
Accession Number: 20130816–5064.
Comments Due: 5 p.m. E.T. 8/28/13.

Docket Numbers: RP13–1255–000.
Applicants: Enable Mississippi River Transmission, LLC.
Description: Enable MRT Name Change Filing to be effective 8/16/2013.
Filed Date: 8/16/13.
Accession Number: 20130816–5085.
Comments Due: 5 p.m. E.T. 8/28/13.

Docket Numbers: RP13–1256–000.
Applicants: Enable Gas Transmission, LLC.
Description: Cancellation of 8th Rev Vol No 1 to be effective 8/16/2013.
Filed Date: 8/16/13.
Accession Number: 20130816–5102.
Comments Due: 5 p.m. E.T. 8/28/13.

Docket Numbers: RP13–1257–000.
Applicants: Enable Mississippi River Transmission, L.
Description: Cancellation of Fifth Revised Volume No. 1 to be effective 8/16/2013.
Filed Date: 8/16/13.
Accession Number: 20130816–5122.
Comments Due: 5 p.m. E.T. 8/28/13.

Docket Numbers: RP13–1258–000.
Applicants: Equitrans, L.P.
Description: Update NAESB 2.0 Order No. 587–V Compliance Filing to be effective 9/30/2013.
Filed Date: 8/16/13.
Accession Number: 20130816–5136.
Comments Due: 5 p.m. E.T. 8/28/13.

Docket Numbers: RP13–1259–000.
Applicants: North Baja Pipeline, LLC.
Description: Available Capacity Provisions_Name Change to be effective 9/16/2013.
Filed Date: 8/16/13.
Accession Number: 20130816–5155.
Comments Due: 5 p.m. E.T. 8/28/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 19, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–20773 Filed 8–26–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC13–137–000.
Applicants: Mojave Solar LLC.
Description: Application for Authorization under Section 203 of the Federal Power Act of Mojave Solar LLC for the Disposition of Jurisdictional Facilities.
Filed Date: 8/19/13.
Accession Number: 20130819–5150.
Comments Due: 5 p.m. E.T. 9/9/13.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER12–550–002.
Applicants: Southwest Power Pool, Inc.
Description: Order 719 Compliance—Attachment AE, Section 4.1.2 to be effective 3/1/2014.
Filed Date: 8/19/13.
Accession Number: 20130819–5120.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–103–003.
Applicants: California Independent System Operator Corporation.
Description: 2013–08–20_Order 1000 Second Compliance to be effective 10/1/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5056.
Comments Due: 5 p.m. E.T. 9/19/13.

Docket Numbers: ER13–1605–001.
Applicants: NV Energy, Inc.
Description: Transmission Rate Filing—Attachment H to be effective 1/1/2014.
Filed Date: 8/20/13.
Accession Number: 20130820–5000.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–1906–001.
Applicants: Guttman Energy Inc.
Description: Original Volume No. 1 to be effective 8/15/2013.
Filed Date: 8/19/13.
Accession Number: 20130819–5116.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–2191–000.
Applicants: Dominion Energy Manchester Street, Inc.
Description: Compliance Filing—Amended Cert of Concurrence Chg to DEMI to be effective 8/19/2013.
Filed Date: 8/19/13.
Accession Number: 20130819–5103.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–2192–000.
Applicants: California Independent System Operator Corporation.

Description: 2013–08–19_RDRR_ Compliance to be effective 4/1/2014.
Filed Date: 8/19/13.
Accession Number: 20130819–5130.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–2193–000.
Applicants: PJM Interconnection, L.L.C.
Description: Original Service Agreement No. 3630; Queue No. Y3–036 to be effective 7/18/2013.
Filed Date: 8/19/13.
Accession Number: 20130819–5131.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–2194–000.
Applicants: PJM Interconnection, L.L.C.
Description: Queue Position Y3–037; Original SA No. 3629 to be effective 7/18/2013.
Filed Date: 8/19/13.
Accession Number: 20130819–5132.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–2195–000.
Applicants: Dominion Energy Brayton Point, LLC.
Description: Compliance Filing—Amended Cert of Concurrence Chg to DEMI to be effective 8/19/2013.
Filed Date: 8/19/13.
Accession Number: 20130819–5133.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–2196–000.
Applicants: Pacific Gas and Electric Company.
Description: Notice of Termination of North Star Solar E&P Agreement to be effective 7/31/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5002.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–2197–000.
Applicants: Southwest Power Pool, Inc.
Description: Notice of Cancellation of Network Integration Transmission Service Agreement and Network Operating Agreement of Southwest Power Pool, Inc.
Filed Date: 8/19/13.
Accession Number: 20130819–5157.
Comments Due: 5 p.m. E.T. 9/9/13.

Docket Numbers: ER13–2198–000.
Applicants: Southwest Power Pool, Inc.
Description: Notice of Cancellation of Network Integration Transmission Service Agreement and Network Operating Agreement of Southwest Power Pool, Inc.
Filed Date: 8/20/13.
Accession Number: 20130820–5014.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–2199–000.
Applicants: Allegany Generating Station LLC.
Description: Baseline new to be effective 9/19/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5033.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–2200–000.
Applicants: Northern Indiana Public Service Company.
Description: Filing of Amendment to CIAC Agreement to be effective 8/21/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5034.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–2201–000.
Applicants: Northern Indiana Public Service Company.
Description: CIAC Agreement Under Wabash Valley Interconnection Agreement to be effective 8/21/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5040.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–2202–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 08–20–13 Attach P SMEPA GFA to be effective 12/19/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5057.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–2203–000.
Applicants: Dominion Retail, Inc.
Description: Dominion Retail, Inc. submits tariff filing per 35: Compliance—Amend Cert of Concurrence Chg to DEMI to be effective 8/21/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5068.
Comments Due: 5 p.m. E.T. 9/10/13.

Docket Numbers: ER13–2204–000.
Applicants: Dominion Energy Kewaunee, Inc.
Description: Dominion Energy Kewaunee, Inc. submits tariff filing per 35: Compliance Filing—Amended Cert of Concurrence Chg to DEMI to be effective 8/21/2013.
Filed Date: 8/20/13.
Accession Number: 20130820–5070.
Comments Due: 5 p.m. E.T. 9/10/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: August 20, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–20863 Filed 8–26–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER13–2199–000]

Allegany Generating Station LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Allegany Generating Station LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is September 10, 2013.

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 Street NE., Washington, DC 20426.

The filings in the above-referenced 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.

Dated: August 21, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–20864 Filed 8–26–13; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request Re: Treatment by FDIC as Conservator or Receiver of Financial Assets Transferred by an Insured Depository Institution in Connection With a Securitization or Participation After September 30, 2010

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. chapter 35), the FDIC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The FDIC hereby gives notice that it is seeking comment on renewal of its information collection, entitled *Treatment by the FDIC as Conservator or Receiver of Financial Assets Transferred by an Insured Depository Institution in Connection With a Securitization or Participation After September 30, 2010* (OMB No. 3064–0177). At the end of the comment period, any comments and recommendations received will be analyzed to determine the extent to which the collections should be modified prior to submission to OMB for review and approval.

DATES: Comments must be submitted on or before October 28, 2013.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *http://www.FDIC.gov/regulations/laws/federal/notices.html.*
- *Email: comments@fdic.gov.* Include the name of the collection in the subject line of the message.
- *Mail:* Leneta G. Gregorie (202–898–3719), Counsel, Room NY–5050, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street Building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Leneta Gregorie, at the FDIC address above.

SUPPLEMENTARY INFORMATION: *Proposal to renew the following currently approved collections of information:*

Title: Treatment by the FDIC as Conservator or Receiver of Financial Assets Transferred by an Insured Depository Institution in Connection With a Securitization or Participation after September 30, 2010.

OMB Number: 3064–0177.

Annual Frequency of Response: 10K Annual Report, Non-Reg AB Compliant—once; 10K Annual Report, Reg AB Compliant—once; 8K Disclosure Form, Non-Reg AB Compliant—twice; 8K Disclosure Form, Reg AB Compliant—twice; 10D Reports, Non-Reg AB Compliant—5; 10D Reports, Reg AB Compliant—5; 12b–25—once.

Affected Public: Insured depository institutions.

Estimated Number of Respondents: 10K Annual Report, Non-Reg AB Compliant—50; 10K Annual Report, Reg AB Compliant—50; 8K Disclosure Form, Non-Reg AB Compliant—50; 8K Disclosure Form, Reg AB Compliant—50; 10D Reports, Non-Reg AB Compliant—50; 10D Reports, Reg AB Compliant—50; 12b–25—100.

Estimated Time per Response: 10K Annual Report, Non-Reg AB Compliant—27 hours; 10K Annual Report, Reg AB Compliant—4.5 hours; 8K Disclosure Form, Non-Reg AB Compliant—2 hours; 8K Disclosure Form, Reg AB Compliant—2 hours; 10D Reports, Non-Reg AB Compliant—27 hours; 10D Reports, Reg AB Compliant—4.5 hours; 12b–25—2.5 hours.

Total Annual Burden: 12,850 hours.

General Description of Collection: To facilitate better ongoing evaluation of the quality of lending by banks and to reduce risks to the Deposit Insurance Fund from the opaque securitization structures and the poorly underwritten loans that led to the onset of the recent financial crisis, insured depository institutions must comply with certain reporting and disclosure requirements for securitizations as a prerequisite for the FDIC to grant the exercise of rights and powers listed in 12 U.S.C. 1821(e)(13)(C) with respect to such financial assets and, for any securitization for which transfers of financial assets were made after December 31, 2010, to qualify for the safe harbor provisions of Part 360 of the FDIC's Regulations.

Request for Comment

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Dated at Washington, DC, this 22nd day of August 2013.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2013–20856 Filed 8–26–13; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting Notice

August 22, 2013.

TIME AND DATE: 10:00 a.m., Thursday, September 19, 2013.

PLACE: The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (entry from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following in open session: *Secretary*

of Labor v. *Wake Stone Corporation,* Docket No. SE 2010–95–M. (Issues include whether the Administrative Law Judge erred by concluding that the service horns on certain mobile equipment had been maintained in functional condition.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFO: Jean Ellen (202) 434–9950 / (202) 708–9300 for TDD Relay / 1–800–877–8339 for toll free.

Emogene Johnson,

Administrative Assistant.

[FR Doc. 2013–20961 Filed 8–23–13; 11:15 am]

BILLING CODE 6735–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than September 20, 2013.

A. Federal Reserve Bank of Richmond (Adam M. Drimer, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261–4528:

1. *Union First Market Bankshares Corporation,* Richmond, Virginia; to acquire 100 percent of the voting shares of StellarOne Corporation, and thereby indirectly acquire voting shares of StellarOne Bank, both in Christiansburg, Virginia.

Board of Governors of the Federal Reserve System, August 22, 2013.

Margaret McCloskey Shanks,

Deputy Secretary of the Board.

[FR Doc. 2013–20871 Filed 8–26–13; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Notice of Proposals to Engage In or To Acquire Companies Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo,* or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than September 11, 2013.

A. Federal Reserve Bank of Dallas (E. Ann Worthy, Vice President) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. *Rio Financial Services, Inc.,* McAllen, Texas; to retain its subsidiary, Rio Financial Holdings, Inc., McAllen, Texas, and thereby engage in lending activities and activities related to extending credit, pursuant to sections 225.28(b)(1) and (b)(2).

Board of Governors of the Federal Reserve System, August 22, 2013.

Margaret McCloskey Shanks,

Deputy Secretary of the Board.

[FR Doc. 2013–20872 Filed 8–26–13; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

AGENCY: Federal Trade Commission (''FTC'' or ''Commission'').

ACTION: Notice.

SUMMARY: The information collection requirements described below will be submitted to the Office of Management and Budget (''OMB'') for review, as required by the Paperwork Reduction Act (''PRA''). The FTC is seeking public comments on its proposal to extend through January 31, 2017, the current PRA clearance for its shared enforcement authority with the Consumer Financial Protection Bureau (''CFPB'') for information collection requirements contained in the CFPB's Regulation O. That clearance expires on January 31, 2014.

DATES: Comments must be filed by October 28, 2013.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Regulation O PRA Comment, FTC File No. P134812'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/regulationopra* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex J), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the proposed information requirements should be addressed to Rebecca Unruh, Attorney, Division of Financial Practices, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Ave. NW., Washington, DC 20580, (202) 326–3565.

SUPPLEMENTARY INFORMATION: Title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act (''Dodd-Frank Act''), Public Law 111–203, 124 Stat. 1376 (2010), transferred the

Commission's rulemaking authority under the mortgage provisions in section 626 of the 2009 Omnibus Appropriations Act, as amended,[1] to the CFPB.[2] On December 16, 2011, the CFPB republished the Mortgage Assistance Relief Services (''MARS'') Rule as Regulation O (12 CFR Part 1015).[3] As a result, the Commission subsequently rescinded its MARS Rule (16 CFR Part 322).[4] Nonetheless, under the Dodd-Frank Act, the FTC retains its authority to bring law enforcement actions to enforce Regulation O.[5]

Regulation O contains information requirements that have been approved by OMB under the PRA, 44 U.S.C. 3501 et seq. The discussion immediately below details the nature of and justification for the information collection requirements of Regulation O for which the FTC, as a co-enforcer, seeks OMB clearance for its share of the estimated PRA burden.

Disclosure Requirements

In commercial communications for a general audience, MARS providers are required to make the following disclosure:

(1) ''(Name of company) is not associated with the government and our service is not approved by the government or your lender''; and

(2) In some instances, that ''[e]ven if you accept this offer and use our service, your lender may not agree to change your loan.''

In addition, MARS providers must disclose to consumers, in any subsequent commercial communication directed to a specific consumer, the following information:

(1) That ''You may stop doing business with us at any time. You may accept or reject the offer of mortgage assistance we obtain from your lender [or servicer]. If you reject the offer, you do not have to pay us. If you accept the offer, you will have to pay us (insert amount or method for calculating the amount) for our services'';

(2) That ''(Name of company) is not associated with the government and our service is not approved by the government or your lender''; and

(3) In some instances, that ''[e]ven if you accept this offer and use our service, your lender may not agree to change your loan.''

Furthermore, MARS providers are required to disclose to consumers in all communications in which the provider represents that the consumer should temporarily or permanently discontinue payments, in whole or in part, the following information:

''If you stop paying your mortgage, you could lose your home and damage your credit rating.''

Finally, after a provider has obtained an offer of mortgage assistance relief from the lender or servicer and presented the consumer with a written agreement incorporating the offer, the MARS provider must disclose the following:

(1) ''This is an offer of mortgage assistance relief service from your lender [or servicer]. You may accept or reject the offer. If you accept the offer, you will have to pay us [same amount as disclosed pursuant to § 1015.4(b)(1)] for our services''; and

(2) A description of all ''material differences'' between the terms, conditions, and limitations of the consumer's current mortgage and those associated with the offer for mortgage relief, provided in a written notice from the consumer's lender or servicer.

Regulation O also requires that the disclosures be ''clear and prominent,'' as defined specific to the media used.[6]

The FTC and CFPB (''Agencies'') believe the above-noted disclosures are necessary for the following reasons:

• *Non-affiliation with the government or lenders:* Federal and state law enforcement officials have brought numerous law enforcement actions against MARS providers who have misrepresented their affiliation with government agencies or programs, lenders, or servicers, in connection with offering MARS. These providers have used a variety of techniques to create such misimpressions, including advertising under trade names that resemble the names of legitimate government programs. Given that the government, for-profit entities, and nonprofit entities assist financially distressed consumers with their mortgages, and the frequency of deceptive affiliation claims, the requirement that MARS providers disclose their nonaffiliation with the government or with consumers' lenders or servicers is reasonably related to the goal of preventing deception.

• *Risk of Nonpayment of Mortgage:* The FTC's rulemaking record for the former MARS Rule demonstrated that MARS providers frequently encourage consumers, often through deception, to stop paying their mortgages and instead pay providers. Consumers who rely on these deceptive statements frequently suffer grave financial harm. Requiring MARS providers who encourage consumers not to pay their mortgages to disclose the risks of following this advice is necessary to prevent deception.

• *Total amount a consumer must pay:* The total cost of MARS is perhaps most material to consumers in making well-informed decisions on whether to purchase those services. Requiring the clear and prominent disclosure of total cost information in every communication directed at a specific consumer before the consumer enters into an agreement would decrease the likelihood that MARS providers will deceive prospective customers with incomplete, inaccurate, or confusing cost information. Requiring MARS providers to disclose total cost information clearly and prominently is reasonably related to the prevention of deception.

• *Right to accept or reject offer of mortgage assistance:* To effectuate fully the advance fee ban under 12 CFR 1015.5, which prohibits providers from collecting fees until the consumer has accepted the results obtained by the provider, it also is necessary for a MARS provider to inform consumers that they may withdraw from the service and may accept or reject the result delivered by the provider. This disclosure is reasonably related to preventing unfair and deceptive acts and practices by MARS providers.

• *No guarantee:* The FTC's rulemaking record revealed that MARS providers often misrepresent their likelihood of success in obtaining a significant loan modification for consumers. These deceptive success claims lead consumers to overestimate MARS providers' abilities to obtain substantial loan modifications or other relief. Requiring MARS providers to inform consumers that lenders might not agree to change consumers' loans, even if those consumers purchase the services that the MARS provider offers, is reasonably related to the goal of preventing deception.

• *Written Notice from Lender or Servicer:* Based on law enforcement experience and the rulemaking record, the Agencies believe that providing the consumer with a notice from the consumer's lender or servicer describing all material differences between the consumer's current mortgage loan and the offered mortgage relief is essential to consumers' ability to evaluate whether they should accept the offer. Requiring that the lender or servicer prepare the written disclosure also better ensures that the information provided is consistent with the terms of the offer, and mitigates the risk that MARS providers would mislead consumers about the offer. This disclosure is

[1] Public Law 111–8, section 626, 123 Stat. 524 (Mar. 11, 2009).

[2] Dodd-Frank Act, § 1061, 12 U.S.C. 5581 (2010).

[3] 76 FR 78130.

[4] 77 FR 22200 (April 13, 2012).

[5] Dodd-Frank Act, § 1061(b)(5), 12 U.S.C. 5581(b)(5).

[6] *See* 12 CFR 1015.2, 1015.5.

reasonably related to the goal of protecting consumers from deception.

Recordkeeping Requirements

In some instances, Regulation O's recordkeeping requirements pertain to records that are customarily kept in the ordinary course of business, such as copies of contracts and consumer files containing the name and address of the borrower and materially different versions of sales scripts and related promotional materials. Thus, the retention of these documents does not constitute a ''collection of information,'' as defined by OMB's regulations that implement the PRA.[7]

In other instances, Regulation O requires providers to create and retain documents demonstrating their compliance with specific rule requirements. These include the requirement that providers document the following activities:

(1) Performing MARS and retaining documentation provided to the consumer;

(2) Monitoring sales presentations by recording and testing oral representations if engaged in telemarketing of services;

(3) Establishing a procedure for receiving and responding to consumer complaints;

(4) Ascertaining, in some instances, the number and nature of consumer complaints; and

(5) Taking corrective action if sales persons fail to comply with Regulation O, including training and disciplining sales persons.

At the time it submitted the FTC Final Rule for OMB review, the FTC determined that the information obtained from the rulemaking record established the need for these recordkeeping requirements. The FTC concluded that there appeared to be widespread deception and unfair practices in the MARS industry, targeting financially vulnerable consumers. Accordingly, the Agencies believe that strong recordkeeping requirements are needed to ensure effective and efficient enforcement of Regulation O and to identify injured consumers.

Burden Statement

Because the FTC and CFPB share enforcement authority for this rule, the FTC is seeking clearance for one-half of the following estimated PRA burden that the FTC attributes to the disclosure and recordkeeping requirements under Regulation O. The potential entities providing MARS services are varied, and there are no ways to formally track them. By extension, there is no clear path to track how many affected individual entities have newly entered and departed from one year to the next or from one triennial PRA clearance cycle to the next. For simplicity, the FTC analysis will continue to treat covered entities as newly undergoing the previously assumed learning curve cycle, although this would effectively overstate estimated burden for unidentified covered entities that have remained in existence since OMB's most recently issued PRA clearance for the FTC Rule. Based on law enforcement experiences and information in the rulemaking record, the FTC estimates that Regulation O affects roughly 500 MARS providers.[8] This estimate and the corollary assumption stated above inform the additional estimates detailed below.

Estimated annual hours burden: 65,000 hours, pre-split.

The above hours estimate is based on the following assumptions:

(1) Disclosures required incremental to Government-supplied language: 500 MARS providers × 2 hours each (1,000 hours).

(2) Initial setup: creating procedures to monitor compliance: 500 MARS providers × 25 hours each (12,500 hours).

(3) Documenting compliance, monitoring sales presentations, related training: 500 MARS providers × 100 hours each (50,000 hours).

(4) Retaining and filing records of compliance: 500 MARS providers × 3 hours each (1,500 hours).

Estimated associated labor cost: $3,733,950, pre-split.

Commission staff assumes that management personnel will prepare the required disclosures and implement and monitor compliance procedures at an hourly rate of $58.47.[9] Thus, the estimated labor cost to prepare the required disclosures is $58,470 (1,000 hours × $58.47) and to institute and document compliance procedures (tasks (2) and (3) listed above) is $3,654,375 (62,500 hours × $58.47). Additionally, FTC staff estimates that related recordkeeping will be performed by office support file clerks at an hourly rate of $14.07 [10] Thus, labor costs for recordkeeping will be $21,105 (1,500 hours × $14.07), for a total estimated labor cost (pre-split) of $3,733,950.

Estimated non-labor cost: $500,000.

The FTC assumes that each of the estimated 500 MARS providers will make required disclosures in writing to approximately 1,000 consumers annually. Under these assumptions, non-labor costs will be limited mostly to printing and distribution costs. At an estimated $1 per disclosure, total non-labor costs would be $1,000 per provider or, cumulatively for all providers, $500,000. Associated costs would be reduced if the disclosures are made electronically.

Accounting for half of the above totals, the FTC's share of burden hours is 32,500 hours, $1,866,975 for labor costs, and $250,000 for non-labor costs.

Request for Comment

Under the PRA, 44 U.S.C. 3501–3521, federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. ''Collection of information'' means agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3); 5 CFR 1320.3(c). As required by section 3506(c)(2)(A) of the PRA, the FTC is providing this opportunity for public comment before requesting that OMB extend the existing paperwork clearance for the regulations noted herein.

Pursuant to Section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) Whether the disclosure and recordkeeping requirements are necessary, including whether the information will be practically useful; (2) the accuracy of our burden estimates, including whether the methodology and assumptions used are valid; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information. All comments should be filed as prescribed in the **ADDRESSES** section above, and must be received on or before October 28, 2013.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before October 28, 2013. Write ''Regulation O PRA Comment, FTC File No. P134812'' 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

[7] 5 CFR 1320.3(b)(2).

[8] 75 FR 75091, 75095 (Dec. 1, 2010) (FTC final rule).

[9] This estimate is based on an averaging of the mean hourly wages for sales and financial managers provided by the Bureau of Labor Statistics. OCCUPATIONAL EMPLOYMENT AND WAGES—MAY 2012, Table 1 (National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2012).

[10] *Id.* (for office clerks).

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 obtained from any person and which is privileged or confidential,'' as provided 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).[11] 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/regulationopra*, 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 ''Regulation O PRA Comment, FTC File No. P134812'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex J), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before September 26, 2013. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

David C. Shonka,

Principal Deputy General Counsel.

[FR Doc. 2013–20796 Filed 8–26–13; 8:45 am]

BILLING CODE 6750–01–P

[11] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request

AGENCY: Federal Trade Commission (''FTC'' or ''Commission'').

ACTION: Notice.

SUMMARY: The FTC intends to ask the Office of Management and Budget (''OMB'') to extend through December 31, 2016, the current Paperwork Reduction Act (''PRA'') clearance for the FTC's enforcement of the information collection requirements in its Affiliate Marketing Rule (or ''Rule''), which applies to certain motor vehicle dealers, and its shared enforcement with the Consumer Financial Protection Bureau (''CFPB'') of the provisions (subpart C) of the CFPB's Regulation V regarding other entities (''CFPB Rule''). The current clearance expires on December 31, 2013.

DATES: Comments must be filed by October 28, 2013.

ADDRESSES: Interested parties are invited to submit written comments electronically or in paper form by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Comments in electronic form should be submitted by using the following weblink: *https://public.commentworks.com/ftc/affiliatemarketingpra* (and following the instructions on the web-based form). Comments filed in paper form should be mailed or delivered to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex J), 600 Pennsylvania Avenue NW., Washington, DC 20580, in the manner detailed in the **SUPPLEMENTARY INFORMATION** section below.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be addressed to Steven Toporoff, Attorney, Division of Privacy and Identity Protection, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, NJ–8100, Washington, DC 20580, (202) 326–3135.

SUPPLEMENTARY INFORMATION: On July 21, 2010, President Obama signed into law the Dodd-Frank Wall Street Reform and Consumer Protection Act (''Dodd-Frank Act'').[1] The Dodd-Frank Act substantially changed the federal legal framework for financial services providers. Among the changes, the Dodd-Frank Act transferred to the CFPB most of the FTC's rulemaking authority for the Affiliate Marketing provisions of the Fair Credit Reporting Act (''FCRA''),[2] on July 21, 2011.[3] For certain other portions of the FCRA, the FTC retains its full rulemaking authority.[4]

The FTC retains rulemaking authority for its Affiliate Marketing Rule, 16 CFR 680, solely for motor vehicle dealers described in section 1029(a) of the Dodd-Frank Act that are predominantly engaged in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both.[5]

On December 21, 2011, the CFPB issued its interim final FCRA rule, including the affiliate marketing provisions (subpart C) of CFPB's Regulation V.[6] Contemporaneous with that issuance, the CFPB and FTC

[1] Public Law 111–203, 124 Stat. 1376 (2010).

[2] 15 U.S.C. 1681 *et seq.*

[3] Dodd-Frank Act, at section 1061. This date was the ''designated transfer date'' established by the Treasury Department under the Dodd-Frank Act. *See* Dep't of the Treasury, *Bureau of Consumer Financial Protection; Designated Transfer Date,* 75 FR 57252, 57253 (Sept. 20, 2010); *see also* Dodd-Frank Act, at section 1062.

[4] The Dodd-Frank Act does not transfer to the CFPB rulemaking authority for FCRA sections 615(e) (''Red Flag Guidelines and Regulations Required'') and 628 (''Disposal of Records''). *See* 15 U.S.C. 1681s(e); Public Law 111–203, section 1088(a)(10)(E). Accordingly, the Commission retains full rulemaking authority for its ''Identity Theft Rules,'' 16 CFR part 681, and its rules governing ''Disposal of Consumer Report Information and Records,'' 16 CFR part 682. *See* 15 U.S.C. 1681m, 1681w.

[5] *See* Dodd-Frank Act, at section 1029 (a), (c).

[6] 76 FR 79308. Subpart C of the interim final rule became effective on December 30, 2011. Subpart C is codified at 12 CFR 1022.20 *et seq.* Except for certain motor vehicle dealers (*see supra* note 5 and accompanying text), the disclosure and opt-out provisions described in the ''Background'' discussion below also pertain to Subpart C of Regulation V and the FTC's associated co-enforcement jurisdiction.

submitted to OMB, and received its approval for, that agency's respective burden estimates reflecting its overlapping enforcement jurisdiction with the FTC. The discussion in the Burden Statement below, following preliminary background information, continues that analytical framework of shared enforcement authority, as supplemented by the FTC's jurisdiction over auto motive dealers, as noted above.

Background

As mandated by section 214 of the Fair and Accurate Credit Transactions Act (''FACT Act''), Public Law 108–159 (Dec. 6, 2003), the Affiliate Marketing Rule, 16 CFR part 680, specifies disclosure requirements for certain affiliated companies. Except as discussed below, these requirements constitute ''collection[s] of information'' for purposes of the PRA. Specifically, the FACT Act and the FTC Rule require covered entities to provide consumers with notice and an opportunity to opt out of the use of certain information before sending marketing solicitations. The FTC Rule generally provides that, if a company communicates certain information about a consumer (eligibility information) to an affiliate, the affiliate may not use it to make or send solicitations to him or her unless the consumer is given notice and a reasonable opportunity to opt out of such use of the information and s/he does not opt out.

To minimize compliance costs and burdens for entities, particularly any small businesses that may be affected, the FTC Rule contains model disclosures and opt-out notices that may be used to satisfy the statutory requirements. The FTC Rule also gives covered entities flexibility to satisfy the notice and opt-out requirement by sending the consumer a free-standing opt-out notice or by adding the opt-out notice to the privacy notices already provided to consumers, such as those provided in accordance with the provisions of Title V, subtitle A of the Gramm Leach Bliley Act (''GLBA'').[7] In either event, the time necessary to prepare or incorporate an opt-out notice would be minimal because those entities could either use the model disclosure verbatim or base their own disclosures upon it. Moreover, verbatim adoption of the model notice does not constitute a PRA ''collection of information.''[8]

Burden Statement

Under the PRA, 44 U.S.C. 3501–3521, federal agencies must get OMB approval for each collection of information they conduct or sponsor. ''Collection of information'' includes agency requests or requirements to submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3); 5 CFR 1320.3(c). The FTC is seeking clearance for its assumed share of the estimated PRA burden regarding the disclosure requirements under the FTC and CFPB Rules.

Except where otherwise specifically noted, staff's estimates of burden are based on its knowledge of the consumer credit industries and knowledge of the entities over which the Commission has jurisdiction. This said, estimating PRA burden of the Rule's disclosure requirements is difficult given the highly diverse group of affected entities that may use certain eligibility information shared by their affiliates to send marketing notices to consumers.

The estimates provided in this burden statement may well overstate actual burden. As noted above, verbatim adoption of the disclosure of information provided by the federal government is not a ''collection of information'' to which to assign PRA burden estimates, and an unknown number of covered entities will opt to use the model disclosure language. Second, an uncertain, but possibly significant, number of entities subject to FTC jurisdiction do not have affiliates and thus would not be covered by section 214 of the FACT Act or the Rule. Third, Commission staff does not know how many companies subject to FTC jurisdiction under the Rule actually share eligibility information among affiliates and, of those, how many affiliates use such information to make marketing solicitations to consumers. Fourth, still other entities may choose to rely on the exceptions to the Rule's notice and opt-out requirements.[9] Finally, the population estimates below to apply further calculations are based on industry data that, while providing tallies of business entities within industries and industry segments, does not identify those entities individually. Thus, there is no clear path to ascertain how many individual businesses have newly entered and departed within a given industry classification, from one year to the next or from one triennial PRA clearance cycle to the next. Accordingly, there is no ready way to quantify how many establishments accounted for in the data reflect those previously accounted for in the FTC's prior PRA analysis, i.e., entities that would already have experienced a declining learning curve applying the Rule with the passage of time. For simplicity, the FTC analysis will continue to treat covered entities as newly undergoing the previously assumed learning curve cycle, although this would effectively overstate estimated burden for unidentified covered entities that have remained in existence since OMB's most recent clearances for the FTC Rule.[10]

As in the past, FTC staff's estimates assume a higher burden will be incurred during the first year of a prospective OMB three-year clearance, with a lesser burden for each of the subsequent two years because the opt-out notice to consumers is required to be given only once. Institutions may provide for an indefinite period for the opt-out or they may time limit it, but for no less than five years.

Staff's labor cost estimates take into account: Managerial and professional time for reviewing internal policies and determining compliance obligations; technical time for creating the notice and opt-out, in either paper or electronic form; and clerical time for disseminating the notice and opt-out.[11] In addition, staff's cost estimates presume that the availability of model disclosures and opt-out notices will simplify the compliance review and implementation processes, thereby significantly reducing the cost of compliance. Moreover, the Rule gives entities considerable flexibility to determine the scope and duration of the opt-out. Indeed, this flexibility permits entities to send a single joint notice on behalf of all of its affiliates.

A. Non-GLBA Entities

Based, in part, on industry data regarding the number of businesses under various industry codes, staff estimates that 1,174,347 non-GLBA entities under FTC jurisdiction have affiliates and would be affected by the

[7] 15 U.S.C. 6801 *et seq.*

[8] ''The public disclosure of information originally supplied by the Federal government to the recipient for purpose of disclosure to the public is not included within [the definition of collection of information].'' 5 CFR 1320.3(c)(2).

[9] Exceptions include, for example, having a preexisting business relationship with a consumer, using information in response to a communication initiated by the consumer, and solicitations authorized or requested by the consumer.

[10] On December 21, 2010, OMB granted three-year clearance for the Rule through December 31, 2013 under Control No. 3084–0131. On February 3, 2012, OMB additionally approved under that control number FTC adjustments submitted on December 9, 2011 to reflect the effects of the Dodd-Frank Act, but the latter approval retained the previously accorded clearance expiration of December 31, 2013.

[11] No clerical time was included in staff's burden analysis for GLBA entities as the notice would likely be combined with existing GLBA notices.

Rule.[12] Staff further estimates that there are an average of 5 businesses per family or affiliated relationship, and that the affiliated entities will choose to send a joint notice, as permitted by the Rule. Thus, an estimated 234,869 non-GLBA business families may send the affiliate marketing notice.

Staff also estimates that non-GLBA entities under the jurisdiction of the FTC would each incur 14 hours of burden during the prospective requested three-year PRA clearance period, comprised of a projected 7 hours of managerial time, 2 hours of technical time, and 5 hours of clerical assistance.

Based on the above, total burden for non-GLBA entities during the prospective three-year clearance period would be approximately 3,288,166 hours, cumulatively. Associated labor cost would total $123,353,199.[13] These estimates include the start-up burden and attendant costs, such as determining compliance obligations. Non-GLBA entities, however, will give notice only once during the clearance period ahead. Thus, averaged over that three-year period, the estimated annual burden for non-GLBA entities is 1,096,055 hours and $41,117,733 in labor costs.

B. GLBA Entities

Entities that are subject to the Commission's GLBA privacy notice regulation already provide privacy notices to their customers.[14] Because the FACT Act and the Rule contemplate that the affiliate marketing notice can be included in the GLBA notices, the burden on GLBA regulated entities would be greatly reduced. Accordingly, the GLBA entities would incur 6 hours of burden during the first year of the clearance period, comprised of a projected 5 hours of managerial time and 1 hour of technical time to execute the notice, given that the Rule provides a model.[15] Staff further estimates that 3,350 GLBA entities under FTC jurisdiction would be affected,[16] so that the total burden for GLBA entities during the first year of the clearance period would approximate 20,100 hours (3,350 × 6) and $1,003,493 in associated labor costs.[17]

Allowing for increased familiarity with procedure, the PRA burden in ensuing years would decline, with GLBA entities each incurring an estimated 4 hours of annual burden (3 hours of managerial time and 1 hour of technical time) during the remaining two years of the clearance, amounting to 13,400 hours (3,350 × 4) and $653,753 in labor costs in each of the ensuing two years.[18] Thus, averaged over the three-year clearance period, the estimated annual burden for GLBA entities is 15,633 hours and $770,333 in labor costs.

The cumulative average annual burden for both non-GLBA and GLBA for the prospective three-year clearance period is 1,111,688 burden hours and $41,888,066 in labor costs. GLBA entities are already providing notices to their customers so there are no new capital or non-labor costs, as this notice may be consolidated into their current notices. For non-GLBA entities, the Rule provides for simple and concise model forms that institutions may use to comply. Thus, any capital or non-labor costs associated with compliance for these entities are negligible.

C. FTC Share of Burden

560,179 hours; $20,771,941, labor costs.

To calculate the total burden attributed to the FTC, staff first deducted from the total annual burden hours those hours attributed to motor vehicle dealers, which are in the exclusive jurisdiction of the FTC. Staff estimates that there are 60,959 motor vehicle dealerships subject to the Rule.[19] Of these, staff estimates that 10% are non-GLBA entities (6,096), and 90% are GLBA entities (54,863). Applying an assumed rate of affiliation of 16.75%, staff estimates that there are 102 non-GLBA and 9,190 GLBA motor vehicle dealerships affiliate families. Staff further assumes there are an average of 5 businesses per family or affiliated relationship, leaving approximately 20 non-GLBA and 1,838 GLBA families, respectively.

Staff further estimates that non-GLBA business families will spend 14 hours in the first year and 0 hours thereafter to comply with the Rule, while GLBA business families will spend 6 hours in the first year, and 4 hours in each of the following two years. The cumulative average annual burden is 8,670 hours.[20]

To calculate the FTC's total shared burden hours, staff deducted from the total burden hours (1,111,688 hours) those attributed to motor vehicle dealerships (8,670), leaving a total of 1,103,108 hours to split between the CFPB and the FTC. The resulting shared burden for the CFPB is half that amount, or 551,509 hours. To calculate the total burden hours for the FTC, staff added the burden hours associated with motor vehicle dealers (8,670 hours), resulting in a total burden of 560,179 hours.

Staff used the same approach to estimate the shared costs for the FTC. Staff estimated the costs attributed to motor vehicle dealers as follows: Non-GLBA business families have $3,501

[12] This estimate is derived from an analysis of a database of U.S. businesses based on June 2013 SIC codes for businesses that market goods or services to consumers, which included the following industries: transportation services; communication; electric, gas, and sanitary services; retail trade; finance, insurance, and real estate; and services (excluding business services and engineering, management services). *See http://www.naics.com/search.htm.* This estimate excludes businesses not subject to FTC jurisdiction and businesses that do not use data or information subject to the rule. To the resulting sub-total (7,111,026), staff applies a continuing assumed rate of affiliation of 16.75 percent, *see* 75 FR 43526, 43528 n. 6 (July 26, 2010), reduced by a continuing estimate of 100,000 entities subject to the Commission's GLBA privacy notice regulations, *see id.,* applied to the same assumed rate of affiliation. The net total is 1,174,347.

[13] The associated labor cost is based on the labor cost burden per notice by adding the hourly mean private sector wages for managerial, technical, and clerical work and multiplying that sum by the estimated number of hours. The classifications used are ''Management Occupations'' for managerial employees, ''Computer and Mathematical Science Occupations'' for technical staff, and ''Office and Administrative Support'' for clerical workers. See OCCUPATIONAL EMPLOYMENT AND WAGES —MAY 2012, U.S. Department of Labor released March 29, 2013, Table 1 (''National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2012''): *http://www.bls.gov/news.release/pdf/ocwage.pdf.* The respective private sector hourly wages for these classifications are $52.20, $38.55, and $16.54. Estimated hours spent for each labor category are 7, 2, and 5, respectively. Multiplying each occupation's hourly wage by the associated time estimate, labor cost burden per notice equals $525.20. This subtotal is then multiplied by the estimated number of non-GLB business families projected to send the affiliate marketing notice (234,869) to determine cumulative labor cost burden for non-GLBA entities ($123,353,199).

[14] Financial institutions must provide a privacy notice at the time the customer relationship is established and then annually so long as the relationship continues. Staff's estimates assume that the affiliate marketing opt-out will be incorporated in the institution's initial and annual notices.

[15] As stated above, no clerical time is included in the estimate because the notice likely would be combined with existing GLBA notices.

[16] Based on the previously stated estimates of 100,000 GLBA business entities at an assumed rate of affiliation of 16.75 percent (16,750), divided by the presumed ratio of 5 businesses per family, this yields a total of 3,350 GLBA business families subject to the Rule.

[17] 3,350 GLBA families × [$52.20 × 5 hours) + ($38.55 × 1 hour)] = $1,003,493.

[18] 3,350 GLBA families × [($52.20 × 3 hours) + ($38.55 x 1 hours)] = $653,753.

[19] This figure consists, in part, of 55,417 car dealers per NADA (franchise/new cars) (*http://www.nada.org/Publications/NADADATA/2011/default)* and NIADA data (independents/used cars) (*http://www.usedcarnews.com/news/2963-niada-survey-shows-more-action-online),* respectively, for 2011, multiplied by an added factor of 1.10 to cover for an unknown quantity of additional motor vehicle dealer types (motorcycles, boats, other recreational vehicles) also covered within the definition of motor vehicle dealer under section 1029(a) of the Dodd-Frank Act. This leaves a total of 60,959 motor vehicle dealers subject to the Rule.

[20] 20 non-GLBA families × 4.666667 hours = 93 hours; 1,838 GLBA families × 4.666667 hours = 8,577 hours.

annualized labor costs,[21] and GLBA business families have $422,648 annualized labor costs,[22] for cumulative annualized costs of $426,149.

To calculate, on an annualized basis, the FTC's cumulative share of labor cost burden, staff deducted from the overall total ($41,117,733) the labor costs attributed to motor vehicle dealerships ($426,149), leaving a net amount of $40,691,584 to split between the CFPB and the FTC. The resulting shared burden for the CFPB is half that amount, or $20,345,792. To calculate the total burden hours for the FTC, staff added the costs associated with motor vehicle dealers ($426,149), resulting in a total cost burden for the FTC of $20,771,941.

Request for Comment

Interested parties are invited to submit written comments. Comments should refer to ''Affiliate Marketing Rule PRA'' to facilitate the organization of comments. Please note that your comment—including your name and your state—will be placed on the public record of this proceeding, including on the publicly accessible FTC Web site, at *http://www.ftc.gov/os/publiccomments.shtm.*

Because comments will be made public, they should not include any sensitive personal information, such as any individual'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. Comments also should not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, comments should not include ''[t]rade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential'' as provided in Section 6(f) of the Federal Trade Commission Act (''FTC Act''), 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). Comments containing matter for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with FTC Rule 4.9(c).[23]

Because paper mail addressed to the FTC is subject to delay due to heightened security screening, please consider submitting your comments in electronic form. Comments filed in electronic form should be submitted using the following weblink *https://public.commentworks.com/ftc/affiliatemarketingpra* (and following the instructions on the web-based form). To ensure that the Commission considers an electronic comment, you must file it on the web-based form at the weblink *https://public.commentworks.com/ftc/affiliatemarketingpra.* If this Notice appears at *www.regulations.gov/search/index.jsp,* you may also file an electronic comment through that Web site. The Commission will consider all comments that regulations.gov forwards to 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, whether filed in paper or electronic form. Comments received will be available to the public on the FTC Web site, to the extent practicable, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the FTC makes every effort to remove home contact information for individuals from the public comments it receives before placing those comments on the FTC Web site. More information, including routine uses permitted by the Privacy Act, may be found in the FTC's privacy policy, at *http://www.ftc.gov/ftc/privacy.shtm.*

Pursuant to Section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) Whether the disclosure requirements are necessary, including whether the information will be practically useful; (2) the accuracy of our burden estimates, including whether the methodology and assumptions used are valid; (3) how to improve the quality, utility, and clarity of the disclosure requirements; and (4) how to minimize the burden of providing the required information to consumers. All comments should be filed as prescribed in the **ADDRESSES** section above, and must be received on or before October 28, 2013.

David C. Shonka,

Principal Deputy General Counsel.

[FR Doc. 2013–20794 Filed 8–26–13; 8:45 am]

BILLING CODE 6750–01–P

[21] (20 non-GLBA families × $525.20) ÷ 3 = $3,501.

[22] In the first year, GLBA families have $550,573 costs: 1,838 × [($52.20 × 5 hours) + ($38.55 × 1 hour)] = $550,573. In each of the second and third years, GLBA families have $358,686 in costs: 1,838 × [($52.20 × 3 hours) + ($38.55 × 1 hour)] = $358,686.

[23] The comment must be accompanied by an explicit request for confidential treatment, including the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. The request will be granted or denied by the Commission's General Counsel, consistent with applicable law and the public interest. See FTC Rule 4.9(c), 16 CFR 4.9(c).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the National Coordinator for Health Information Technology; Announcement of Requirements and Registration for ''Behavioral Health Patient Empowerment Challenge''

AGENCY: Office of the National Coordinator for Health Information Technology, HHS.

Award Approving Official: Farzad Mostashari, National Coordinator for Health Information Technology.

ACTION: Notice.

SUMMARY: Behavioral health disorders are common in the United States. Approximately 20% of adults and 13% of adolescents suffer from mental disorders each year and 8.7% of Americans aged 12 and older experience substance dependence or abuse each year.[1 2] Rates of mental health problems are significantly higher for patients with chronic conditions such as diabetes, asthma, and heart conditions [3] and failure to treat both physical and mental health conditions results in poorer health outcomes and higher health care costs.[3] Yet despite the high personal and societal burden of these disorders fewer than half of adults and only one-third of children with mental disorders and only 11 percent of individuals with substance use disorders receive treatment.[1 2] For many individuals this results from limited access to care, for others it is a result of reservations about accessing specialty care.

Health IT has significant potential to enable self management of behavioral health disorders (including both mental health and substance use disorders) as well as to act as a treatment extender for patients with limited access to care. On September 16th Office of the National Coordinator for Health Information Technology (ONC), in partnership with the Substance Abuse and Mental Health Services Administration (SAMHSA), Office of National Drug Control Policy (ONDCP), and National Institutes of Health (NIH) is organizing a Technology Innovations for Substance Abuse and Mental Health Disorders Conference taking place at the White House. This conference will highlight how technology can be used to improve treatment for behavioral health disorders. In conjunction with this

[1] 2010–2011 National Survey on Drug Use and Health, *http://www.samhsa.gov/data/nsduh/2k10nsduh/2k10results.htm.*

[2] Results from the 2010 NSDUH: Mental Health Findings: *http://www.samhsa.gov/data/nsduh/2k10MH_Findings/2k10MHResults.htm.*

[3] *http://www.cdc.gov/Features/MentalHealthSurveillance/.*

conference ONC is issuing this Behavioral Health Patient Empowerment Challenge to identify and highlight existing technologies that empower consumers to manage their mental health and/or substance use disorders.

The statutory authority for this challenge competition is Section 105 of the America COMPETES Reauthorization Act of 2010 (Pub. L. 111–358).

DATES: Submission period begins: August 21, 2013.

Submission period ends: September 3, 2013.

Winners announced: Substance Abuse and Mental Health Disorders Conference, White House, September 16, 2013.

FOR FURTHER INFORMATION CONTACT: Adam Wong, 202–720–2866.

SUPPLEMENTARY INFORMATION:

Subject of Challenge Competition

The Behavioral Health Patient Empowerment Challenge is a call for developers to showcase technologies that empower consumers to manage their mental health and/or substance use disorders. The intent of the challenge is to identify and highlight existing innovative technologies that use evidence based strategies to empower consumer self-management of behavioral health disorders.

The application submitted must be available for use by consumers on a widely-used platform for mobile devices by the submission end date of September 3.

To be eligible to receive a prize, Solvers must submit:

(1) The functioning application, or directions to access it,

(2) an overview, of no more than 500 words, that

a. provides an overview of the target population for the tool and the evidence base supporting the functionality included for addressing the needs of the target population
b. discusses how the target population can use this technology to better manage their symptoms or their recovery process
c. discusses how the application is designed to keep the user engaged over time to promote consistent use
d. describes the application's existing ability to be integrated with EHR/PHRs or other tools

(3) a 5 minute-maximum video demonstration of the tool.

Eligibility Rules for Participating in the Competition

To be eligible to win a prize under this challenge, an individual or entity—

(1) Shall have registered to participate in the competition under the rules promulgated by the Office of the National Coordinator for Health Information Technology.

(2) Shall have complied with all the requirements under this section.

(3) In the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States.

(4) May not be a Federal entity or Federal employee acting within the scope of their employment.

(5) Shall not be an HHS employee working on their applications or submissions during assigned duty hours.

(6) Shall not be an employee of Office of the National Coordinator for Health IT.

(7) Federal grantees may not use Federal funds to develop COMPETES Act challenge applications unless consistent with the purpose of their grant award.

(8) Federal contractors may not use Federal funds from a contract to develop COMPETES Act challenge applications or to fund efforts in support of a COMPETES Act challenge submission.

An individual or entity shall not be deemed ineligible because the individual or entity used Federal facilities or consulted with Federal employees during a competition if the facilities and employees are made available to all individuals and entities participating in the competition on an equitable basis.

Entrants must agree to assume any and all risks and waive claims against the Federal Government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from my participation in this prize contest, whether the injury, death, damage, or loss arises through negligence or otherwise.

Entrants must also agree to indemnify the Federal Government against third party claims for damages arising from or related to competition activities.

Registration Process for Participants

To register for this Challenge, participants can access *http://www.challenge.gov* and search for ''Behavioral Health Patient Empowerment Challenge.''

Prize

The top three finishers will be invited to the event taking place at the White House, and the winner will be able to demo it there. Travel funding is not available, so if the winner cannot attend in person the video demonstration of the winning technology will be played during the conference.

The top three technologies will be highlighted on a behavioral health technology innovations Web site which is being developed by the National Institutes of Health (NIH) in conjunction with this conference.

Payment of the Prize

No monetary prize is provided for this challenge.

Basis Upon Which Winner Will Be Selected

The review panel will make selections based upon the following criteria:

Evidence base for the functionality included in the application
Application usability, including intuitiveness, capacity to engage the user, and user interface
Comprehensiveness of the technology for addressing the behavioral health needs of the target population
Existing ability to be integrated with EHR/PHRs or other tools

In order for an entry to be eligible to win this Challenge, it must meet the following requirements:

General—Contestants must provide continuous access to the tool, a detailed description of the tool, instructions on how to install and operate the tool, and system requirements required to run the tool (collectively, ''Submission'').

Acceptable platforms—The tool must be designed for use on a widely-used platform for mobile devices; this includes web optimization for mobile devices.

Section 508 Compliance—Contestants must acknowledge that they understand that, as a pre-requisite to any subsequent acquisition by FAR contract or other method, they may be required to make their proposed solution compliant with Section 508 accessibility and usability requirements at their own expense. Any electronic information technology that is ultimately obtained by HHS for its use, development, or maintenance must meet Section 508 accessibility and usability standards. Past experience has demonstrated that it can be costly for solution-providers to ''retrofit'' solutions if remediation is later needed. The HHS Section 508 Evaluation Product Assessment Template, available at *http://www.hhs.gov/web/508/contracting/*

technology/vendors.html, provides a useful roadmap for developers to review. It is a simple, web-based checklist utilized by HHS officials to allow vendors to document how their products do or do not meet the various Section 508 requirements.

No HHS, ONC, or other federal government logo—The app must not use HHS', ONC's, or any other federal government agency's logos or official seals in the Submission, and must not claim endorsement.

Functionality/Accuracy—A Submission may be disqualified if the software application fails to function as expressed in the description provided by the user, or if the software application provides inaccurate or incomplete information.

Security—Submissions must be free of malware. Contestant agrees that ONC may conduct testing on the app to determine whether malware or other security threats may be present. ONC may disqualify the app if, in ONC's judgment, the app may damage government or others' equipment or operating environment.

Additional Information

General Conditions: ONC reserves the right to cancel, suspend, and/or modify the Contest, or any part of it, for any reason, at ONC's sole discretion. Participation in this Contest constitutes a contestant's full and unconditional agreement to abide by the Contest's Official Rules found at *www.challenge.gov.*

Privacy Policy: ChallengePost collects personal information from you when you register on *Challenge.gov.* The information collected is subject to the ChallengePost privacy policy located at *www.challengepost.com/privacy.*

Ownership of intellectual property is determined by the following:

- Each entrant retains title and full ownership in and to their submission. Entrants expressly reserve all intellectual property rights not expressly granted under the challenge agreement.
- By participating in the challenge, each entrant hereby irrevocably grants to Sponsor and Administrator a limited, non-exclusive, royalty-free, worldwide license and right to reproduce, publically perform, publically display, and use the Submission to the extent necessary to administer the challenge, and to publically perform and publically display the Submission, including, without limitation, for advertising and promotional purposes relating to the challenge.

Authority: 15 U.S.C. 3719.

Dated: August 19, 2013.

David Muntz,

Principal Deputy National Coordinator for Health Information Technology.

[FR Doc. 2013–20790 Filed 8–26–13; 8:45 am]

BILLING CODE 4150–45–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the National Vaccine Advisory Committee

AGENCY: Office of the Assistant Secretary for Health, Office of the Secretary, HHS.

ACTION: Notice of meeting.

SUMMARY: As stipulated by the Federal Advisory Committee Act, the Department of Health and Human Services (HHS) is hereby giving notice that the National Vaccine Advisory Committee (NVAC) will hold a meeting. The meeting is open to the public. Pre-registration is required for both public attendance and comment. Individuals who wish to attend the meeting and/or participate in the public comment session should register at *http://www.hhs.gov/nvpo/nvac,* email *nvpo@hhs.gov,* or call 202–690–5566 and provide name, organization, and email address.

DATES: The meeting will be held on September 10–11, 2013. The meeting times and agenda will be posted on the NVAC Web site at *http://www.hhs.gov/nvpo/nvac* as soon they become available.

ADDRESSES: U.S. Department of Health and Human Services, Hubert H. Humphrey Building, Room 800, 200 Independence Avenue SW., Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: National Vaccine Program Office, U.S. Department of Health and Human Services, Room 715–H, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201. Phone: (202) 690–5566; Fax: (202) 690–4631; email: *nvpo@hhs.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to Section 2101 of the Public Health Service Act (42 U.S.C. 300aa–1), the Secretary of Health and Human Services was mandated to establish the National Vaccine Program to achieve optimal prevention of human infectious diseases through immunization and to achieve optimal prevention against adverse reactions to vaccines. The National Vaccine Advisory Committee was established to provide advice and make recommendations to the Director of the National Vaccine Program on matters related to the Program's responsibilities. The Assistant Secretary for Health serves as Director of the National Vaccine Program.

The topics to be discussed at the NVAC meeting will include updates from the NVAC working groups on Human Papillomavirus (HPV) Vaccine and Maternal Immunization, Healthy People 2020 Immunization objectives, immunizations and the Affordable Care Act, deliberation and vote on the NVAC Report on Global Immunization and NVAC Adult Immunization Standards of Practice. The meeting agenda will be posted on the NVAC Web site: *http://www.hhs.gov/nvpo/nvac* prior to the meeting.

Public attendance at the meeting is limited to space available. Please note agenda meeting times are approximate and are subject to change. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the National Vaccine Program Office at the address/phone listed above at least one week prior to the meeting. Members of the public will have the opportunity to provide comments at the NVAC meeting during the public comment periods on the agenda. Individuals who would like to submit written statements should email or fax their comments to the National Vaccine Program Office at least five business days prior to the meeting.

Dated: August 20, 2013.

Bruce Gellin,

Director, National Vaccine Program Office, Executive Secretary, National Vaccine Advisory Committee.

[FR Doc. 2013–20797 Filed 8–26–13; 8:45 am]

BILLING CODE 4150–44–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meetings of the National Biodefense Science Board

AGENCY: Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: As stipulated by the Federal Advisory Committee Act, the U.S. Department of Health and Human Services is hereby giving notice that the National Biodefense Science Board (NBSB) will be holding a public meeting on September 12, 2013.

DATES: The September 12, 2013, NBSB public meeting is tentatively scheduled from 1:00 p.m. to 3:00 p.m. EST, both in-person in Washington, DC and with teleconference connectivity. The agenda

for the September 12, 2013 public meeting is subject to change as priorities dictate. Please check the NBSB Web site at *WWW.PHE.GOV/NBSB* for the most up-to-date information and for all attendance information.

ADDRESSES: U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201. Pre-registration is required for all members of the public wishing to attend this meeting in-person by September 5, 2013; all attendees must be signed in by a federal staff member. To attend either in-person or by teleconference, please refer to the NBSB Web site for further instructions at *WWW.PHE.GOV/NBSB.* Please arrive, or call in, 15 minutes prior to the beginning of the meeting to facilitate attendance.

Additional Information for Public Participants: These meetings are open to the public and are limited only by the space available. Meeting rooms will accommodate up to 25 people. Pre-registration is required for in-person attendance. Individuals who wish to attend the meeting in-person should send an email to *NBSB@HHS.GOV* with ''NBSB Registration'' in the subject line by no later than Thursday, September 5, 2013.

FOR FURTHER INFORMATION CONTACT: The National Biodefense Science Board mailbox: *NBSB@HHS.GOV.*

SUPPLEMENTARY INFORMATION: Pursuant to section 319M of the Public Health Service Act (*42 U.S.C. 247d–7f*) and section 222 of the Public Health Service Act (*42 U.S.C. 217a*), the Department of Health and Human Services (HHS) established the National Biodefense Science Board. The Board shall provide expert advice and guidance to the Secretary on scientific, technical, and other matters of special interest to HHS regarding current and future chemical, biological, nuclear, and radiological agents, whether naturally occurring, accidental, or deliberate. The Board may also provide advice and guidance to the Secretary and/or the Assistant Secretary for Preparedness and Response (ASPR) on other matters related to public health emergency preparedness and response.

Background: Part of the September 12, 2013, public meeting will be dedicated to the NBSB's deliberation and vote on the findings from the Situational Awareness Working Group; the remainder of the meeting will be dedicated to presentation of a potential new task to the NBSB, and an overview of NBSB accomplishments presented by the NBSB Chair, Dr. John Parker. Subsequent agenda topics will be added as priorities dictate. Any additional agenda topics will be available on the NBSB's September 2013 meeting Web page prior to the public meeting, available at *WWW.PHE.GOV/NBSB.*

Availability of Materials: The meeting agenda and materials will be posted on the NBSB Web site at *WWW.PHE.GOV/NBSB* prior to the meeting.

Procedures for Providing Public Input: All members of the public are encouraged to provide written comment to the NBSB. All written comments must be received prior to September 9, 2013, and should be sent by email to *NBSB@HHS.GOV* with ''NBSB Public Comment'' as the subject line. Individuals planning to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should email *NBSB@HHS.GOV.*

Dated: August 20, 2013.

Nicole Lurie,

Assistant Secretary for Preparedness and Response.

[FR Doc. 2013–20793 Filed 8–26–13; 8:45 am]

BILLING CODE 4150–37–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Office of the Assistant Secretary for Health, Statement of Organization, Functions, and Delegations of Authority

Part A, Office of the Secretary, Statement of Organization, Function, and Delegation of Authority for the U.S. Department of Health and Human Services (HHS) is being amended at Chapter AC, Office of the Assistant Secretary for Health (OASH), as last amended at 77 FR 60996–97, dated October 5, 2012, and 72 FR 58095–96, dated October 12, 2002. The amendment reflects the realignment of personnel oversight, administration and management functions for the Office on Women's Health (OWH) in the OASH. Specifically, this notice establishes the Division of Policy and Performance Management (ACB2), the Division of Strategic Communication (ACB3) and the Division of Program Innovation (ACB4) within the Office on Women's Health (ACB). The changes are as follows:

I. Under Part A, Chapter AC, Office of the Assistant Secretary for Health, make the following changes:

A. Under Section AC.20, Functions, ''B. Office on Women's Health (ACB), Section 1. Immediate Office of the Director (ACB1)'' replace the entire section with:

1. Immediate Office of the Director (ACB1). The Immediate Office of the Director, headed by the Deputy Director of the Office on Women's Health, is responsible for operations and administrative management, HR management, and budget planning and coordination. The office coordinates the programmatic aspects of HHS components in regards to issues relating to women's health; serves as the locus within HHS to identify changing needs, to recommend new studies, and to assess new challenges to the health of women; serves as a focal point within HHS to coordinate the continuing implementation of health objectives for the future; assures liaison occurs with relevant HHS agencies and offices; and facilitates the expansion of services and access to health care for all women. The Deputy Director plans and directs financial management activities, including budget formulation and execution; provides liaison on personnel management activities with the OASH and the Program Support Center; and is responsible for implementing the congressional, international health and national (regional) components for the OWH mission. The office also provides scientific analyses for all initiatives.

B. Under Section AC.20, Functions, ''B. Office on Women's Health (ACB), Section 2. Division of Program Coordination (ACB2)'' replace the entire section with:

2. Division of Policy and Performance Management (ACB2). The Division of Policy and Performance Management, headed by the Division Director, is responsible for strategic planning; policy review, development and analysis; and program evaluation and performance management. The division forecasts future OWH direction, leads strategic and operational plans development; supports and monitors their implementation; leads the design, management, and monitoring of evidence based women's health programs for targeted issues; advises director on policy issues and engages stakeholders, organizations, and partners in reviewing, developing and analyzing practices to inform policy development; and leads efforts to incorporate gender specific issues into broader health policy as well as evaluate how those issues are incorporated into health policy.

C. Under Section AC.20, Functions, ''B. Office on Women's Health (ACB), Section 3. Division of Outreach and Collaboration (ACB3)'' replace the entire section with:

3. Division of Strategic Communication (ACB3). The Division of

Strategic Communication, headed by the Division Director, is responsible for professional and public outreach, communications channel technical support, and regional liaison. The division develops and executes programs to educate the public and health professionals and conducts regional liaison activities; develops evidence-based approaches in the development and evaluation of educational materials and implements clinical professional and adult educational practices and methodologies; acts as the liaison with the OASH communications office; is the gatekeeper for all materials; and manages the clearance process for OWH communications. The division provides communications channel technical support by implementing a wide range of communications media (including listservs, print, radio, TV, and social media) and tools; oversees web design, content development, and management; acts as the OWH technical liaison and APSA web council representative; and maintains a social media presence. As the RHC liaison, it supports the RHC in their mission to coordinate and implement public health initiatives to promote women's health issues at the regional, state, and local levels.

D. Under Section AC.20, Functions, ''B. Office on Women's Health (ACB)'' following Section 3 Division of Strategic Communication (ACB3) insert:

4. Division of Program Innovation (ACB4). The Division of Program Innovation, headed by the Division Director, is responsible for program development, management and support, and program development research. The division identifies evidence based strategies and develops model programs for targeted issues; designs, develops and implements interventions to improve women's health; incorporates gender specific issues into model programs; provides oversight for model program development and all related activities, including budget development and management; identifies future direction of women's health and associated strategies and gaps in current coverage; and reviews promising strategies to identify and promote innovative ideas for future program development.

II. Delegations of Authority. Directives or orders made by the Secretary, Assistant Secretary for Health, or Director, Office on Women's Health, all delegations and re-delegations of authority made to officials and employees of the affected organizational component will continue in force pending further redelegations, provided they are consistent with this reorganization.

III. Funds, Personnel, and Equipment. Transfer of organizations and functions affected by this reorganization shall be accompanied by direct and support funds, positions, personnel, records, equipment, supplies, and other resources.

Dated: August 15, 2013.

E.J. Holland, Jr.,

Assistant Secretary for Administration.

[FR Doc. 2013–20524 Filed 8–26–13; 8:45 am]

BILLING CODE 4150–33–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection

Activities: Proposed Collection; Comment Request.

AGENCY: Agency for Healthcare Research and Quality, HHS.

ACTION: Notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the proposed information collection project: ''Pilot Test of an Emergency Department Discharge Tool.'' In accordance with the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), AHRQ invites the public to comment on this proposed information collection.

DATES: Comments on this notice must be received by October 28, 2013.

ADDRESSES: Written comments should be submitted to: Doris Lefkowitz, Reports Clearance Officer, AHRQ, by email at *doris.lefkowitz@ahrq.hhs.gov.*

Copies of the proposed collection plans, data collection instruments, and specific details on the estimated burden can be obtained from the AHRQ Reports Clearance Officer.

FOR FURTHER INFORMATION CONTACT: Doris Lefkowitz, AHRQ Reports Clearance Officer, (301) 427–1477, or by email at *doris.lefkowitz@ahrq.hhs.gov.*

SUPPLEMENTARY INFORMATION:

Proposed Project

Pilot Test of an Emergency Department Discharge Tool

The research study ''Pilot Test of an Emergency Discharge Tool'' fully supports AHRQ's mission. The ultimate aim of this study is to pilot test a discharge tool which has the potential to reduce unnecessary visits to the Emergency Department (ED), reduce healthcare expenditure in the ED, as well as streamline and enhance the quality of care delivered to ED patients.

The ED is an important and frequently used setting of care for a large part of the U.S. population. In 2006, there were nearly 120 million ED visits in the U.S., of which only 15.5 million (14.7%) resulted in admission to the hospital or transfer to another hospital. Thus the majority ED visits result in discharge to home. Patients discharged from the ED face significant risk for adverse outcomes, with between 3–5 patients per 100,000 visits experiencing an unexpected death following discharge from the ED. Additionally, a sizable minority of patients return to the ED frequently. Published studies estimate that 4.5% to 8% of patients revisit the ED 4 or more times per year, accounting for 21% to 28% of all ED visits. Internal data from John Hopkins Hospital, AHRQ's contractor for this pilot test, supports these findings with 7% of their patients accounting for 26% of visits to the Johns Hopkins Hospital ED in 2011.

Patients who revisit the ED contribute to overcrowding, unnecessary delays in care, dissatisfaction, and avoidable patient harm. ED revisits are also an important contributor to rising health care costs, as ED care is estimated to cost two to five times as much as the same treatment delivered by a primary care physician. Thus it is estimated that eliminating revisits and inappropriate use of EDs could reduce health care spending as much as $32 billion each year. Overall, an effective and efficient ED discharge process would improve the quality of patient care in the ED as well as reduce healthcare costs.

To respond to the challenges faced by our nation's EDs and the patients they serve, AHRQ will develop and pilot test a tool to improve the ED discharge process. More specifically, this project has the following goals:

(1) Develop and Pilot Test a Prototype ED Discharge Tool in a limited number of settings to assess:

(A) The feasibility for use with patients;

(B) The methodological and resource requirements associated with tool use;

(C) The feasibility of measuring outcomes;

(D) The costs of implementation and;

(E) Treliminary outcomes or impacts of tool use.

(2) Revise the Tool based on the results from the Pilot Test

This study is being conducted by AHRQ through its contractor, John Hopkins Hospital, pursuant to AHRQ's statutory authority to conduct and support research on healthcare and on

systems for the delivery of such care, including activities with respect to the quality, effectiveness, efficiency, appropriateness and value of healthcare services and with respect to quality measurement and improvement. 42 U.S.C. 299a(a)(1) and (2).

Method of Collection

To achieve these goals the following data collections will be implemented:

(1) Emergency Department Discharge Tool (EDT)—The EDT will be pilot tested in the three John Hopkins EDs in Baltimore. The purpose of the EDT is to assist hospitals in identifying patients who excessively use the ED and can be categorized as ''frequent ED users,'' and to target interventions to these patients to reduce the risk of further avoidable revisits. A designated ED personnel will screen the medical record of all adult patients for the presence of frequent ED use, the key risk factor for ED discharge failure. Frequent ED use is defined as: (1) 1 or more previous ED visit within the last 72-hours, or (2) 2 or more previous ED visits within the last 3 months, or (3) 3 or more ED visits within the last 12 months. This definition can be modified to align with the resources of the individual ED.

For those flagged as frequent ED users this tool uses data collected from the patient's record and from the patient himself to identify individuals with risk factors that have been shown in the literature to predict sub-optimal ED discharges and resulting revisits. These risk factors include patients who are uninsured, lack a primary care physician, have psychiatric diseases, are substance users, have difficulty caring for themselves, or have trouble comprehending ED discharge instructions.

A user's manual (EDT User's Manual) is also provided to assist EDs in developing resources to provide interventions recommended by the EDT. No data collection activities will be made from this manual.

(2) One Month Patient Follow-up—After the ED visit, a project research assistant (RA) will have a follow-up telephone interview with all enrolled patients. During the interview, the RA will inquire about the patient's remembrance of the instructions that were given for the patient.

(3) Three Month Patient Follow-up—Patients who are uninsured will receive an additional phone call 3 months after the ED visit to assess whether or not they were able to acquire insurance.

(4) Post Pilot Test Focus Groups—AHRQ will conduct three sets of focus groups to collect qualitative data about the usability and usefulness of the EDT from three stakeholder groups: EDT implementers, patients, and post-ED care providers. Questions for each of the focus groups will vary based on their differing objectives:

(A) EDT Implementers Focus Group—For implementers of the EDT (RNs, case managers, social workers, research assistants), the objectives will include: (1) How well it does or does not meet implementer goals of discharge; (2) resources required for implementation; and (3) unintended consequences or impacts on other ED operations.

(B) Patient Focus Group—For the patients, the objective will be: (1) What was their general impression of the EDT; (2) did the EDT improve the ED discharge process for them; and (3) do they foresee any potential unintended problems of the EDT.

(C) Post-ED Care Providers Focus Group—For the post-ED care providers, the objectives are to determine: (1) How well the EDT has met the needs of these providers in caring for these patients; (2) how feasible it has been to properly care for patients for whom the EDT had been implemented; (3) if there are any unintended consequences of using the EDT. Post-ED care provider focus group members will be drawn from Johns Hopkins Community Physicians, East-Baltimore Medical Center (a primary referral site for patients without primary care), and Healthcare for the Homeless, a not-for-profit organization in Baltimore, Maryland that provides health services, education and advocacy to people affected by homelessness.

(5) Post Pilot Test In-depth Interviews—AHRQ will conduct semi-structured interviews with approximately eight individuals from each of the 3 stakeholder groups: EDT implementers, patients, and post-ED care providers. These individuals will provide feedback on issues surfaced during the focus groups. This will provide an opportunity to delve more deeply into specific topics of interest.

(6) Administrative and Observational Data—Quantitative outcome measures will come from an extraction of medical record data and direct observations performed by project RAs. Data will be extracted from hospital billing records and Electronic Medical Records (EMRs) and will include frequency of revisits, cost of 72-hour returns, cost of ED visits per 3 months and the cost of implementing the EDT. To calculate costs of program implementation, RAs will observe the time required by social work, case management, and nursing staff to implement the interventions prescribed in the tool. They will also keep a log of the materials given to the patients as part of the intervention. To evaluate the percentage of patients evaluated for assistance or placement, RAs will observe case managers/social workers during their interaction with the patients. To evaluate the percentage of follow-up phone calls, the RAs will keep a log of attempts and actual contacts. Since these data collections involve RA observations, or extractions from existing medical records performed by the RA, they pose no burden to the hospital or public and therefore are not included in the burden estimates in Exhibit 1.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated annualized burden for the respondents' time to participate in this pilot test. The EDT will be pilot tested with a total of 1,200 patients (50 per week * 8 weeks * 3 sites = 1,200) and takes about 20 minutes per patient to complete. The one-month patient follow-up will be conducted with all 1,200 patients and will take 10 minutes to complete. The 3-month patient follow-up will be conducted with those patients identified as being uninsured and is estimated to take 5 minutes to complete.

Focus groups will be conducted with all three of the stakeholder groups (EDT implementers, patients, and post-ED care providers). There will be two groups held for the EDT implementers consisting of 8 persons each (16 total), and one group of 8 for both the patients and the post-ED care providers. Each focus group will last for 2 hours.

As a follow-up to the focus groups in-depth interviews will be conducted with eight members from each of the three stakeholder groups. The interviews will require one hour to complete. The total annualized burden is estimated to be 708 hours.

Exhibit 2 shows the annualized cost burden associated with the respondents' time to participate in the pilot test. The total annualized cost burden is estimated to be $16,359.

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Hours per response	Total burden hours
Pilot Test of the Emergency Department Discharge Tool (EDT)				
EDT	1,200	1	20/60	400
One Month Patient Follow-up	1,200	1	10/60	200
Three Month Patient Follow-up	240	1	5/60	20
Post Pilot Test Focus Groups and Interviews				
EDT Implementers Focus Group	16	1	2	32
Patient Focus Group	8	1	2	16
Post-ED Care Providers Focus Group	8	1	2	16
EDT Implementer Interview	8	1	1	8
Patient Interview	8	1	1	8
Post-ED Care Providers Interview	8	1	1	8
Total	2,696	na	na	708

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN

Form name	Number of respondents	Total burden hours	Average hourly wage rate*	Total cost burden hours
Pilot Test of the Emergency Department Discharge Tool (EDT)				
EDT	1,200	400	$22.01[a]	$8,804
One Month Patient Follow-up	1,200	200	22.01[a]	4,402
Three Month Patient Follow-up	240	20	22.01[a]	440
Post Pilot Test Focus Groups and Interviews				
EDT Implementers Focus Group	16	32	27.42[b]	877
Patient Focus Group	8	16	22.01[a]	352
Post-ED Care Providers Focus Group	8	16	45.36[c]	726
EDT Implementer Interview	8	8	27.42[b]	219
Patient Interview	8	8	22.01[a]	176
Post-ED Care Providers Interview	8	8	45.36[c]	363
Total	2,696	708	na	16,359

*National Compensation Survey: Occupational wages in the United States May 2012, ''U.S. Department of Labor, Bureau of Labor Statistics.''
[a]—based on the mean wages for All Occupations (00–0000)
[b]—salary based upon average of: 2 nurses (29–1141), 2 case managers (29–1141), 2 social workers (21–1022), and 2 research assistants (19–4061)
[c]—salary based upon average of: 2 physicians (29–1060), 2 nurses (29–1141), 2 case managers (29–1141), 2 social workers (21–1022).

Request for Comments

In accordance with the above-cited Paperwork Reduction Act legislation, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ health care research, quality improvement and information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) 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 upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Dated: August 8, 2013.

Carolyn M. Clancy,

Director.

[FR Doc. 2013–20825 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–90–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Agency for Healthcare Research and Quality, HHS.

ACTION: Notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the proposed information collection project: ''Assessing the Impact of the National

Implementation of TeamSTEPPS Master Training Program.'' In accordance with the Paperwork Reduction Act, 44 U.S.C. 3501–3520, AHRQ invites the public to comment on this proposed information collection.

DATES: Comments on this notice must be received by October 28, 2013.

ADDRESSES: Written comments should be submitted to: Doris Lefkowitz, Reports Clearance Officer, AHRQ, by email at *doris.lefkowitz@AHRQ.hhs.gov*.

Copies of the proposed collection plans, data collection instruments, and specific details on the estimated burden can be obtained from the AHRQ Reports Clearance Officer.

FOR FURTHER INFORMATION CONTACT: Doris Lefkowitz, AHRQ Reports Clearance Officer, (301) 427–1477, or by email at *doris.lefkowitz@AHRQ.hhs.gov*.

SUPPLEMENTARY INFORMATION:

Proposed Project

Assessing the Impact of the National Implementation of TeamSTEPPS Master Training Program

As part of their effort to fulfill their mission goals, AHRQ, in collaboration with the Department of Defense's (DoD) Tricare Management Activity (TMA), developed TeamSTEPPS® (aka Team Strategies and Tools for Enhancing Performance and Patient Safety) to provide an evidence-based suite of tools and strategies for training teamwork-based patient safety to health care professionals. In 2007, AHRQ and DoD coordinated the national implementation of the TeamSTEPPS program. The main objective of this program is to improve patient safety by training a select group of stakeholders such as Quality Improvement Organization (QIO) personnel, High Reliability Organization (HRO) staff, and health care system staff in various teamwork, communication, and patient safety concepts, tools, and techniques and ultimately helping to build national capacity for supporting teamwork-based patient safety efforts in health care organizations and at the state level. The implementation includes the availability of voluntary training of Master Trainers in various health care systems capable of stimulating the utilization and adoption of TeamSTEPPS in their health care delivery systems, providing technical assistance and consultation on implementing TeamSTEPPS, and developing various channels of learning (e.g., user networks, various educational venues) for continuation support and improvement of teamwork in health care. During this effort, AHRQ has trained more than 2400 participants to serve as the Master Trainer infrastructure supporting national adoption of TeamSTEPPS. Participants in training become Master Trainers in TeamSTEPPS and are afforded the opportunity to observe the tools and strategies provided in the program in action. In addition to developing Master Trainers, AHRQ has also developed a series of support mechanisms for this effort including a data collection Web tool, a TeamSTEPPS call support center, and a monthly consortium to address any challenges encountered by implementers of TeamSTEPPS.

To understand the extent to which this expanded patient safety knowledge and skills have been created, AHRQ will conduct an evaluation of the National Implementation of TeamSTEPPS Master Training program. The goals of this evaluation are to examine the extent to which training participants have been able to:

(1) Implement the TeamSTEPPS products, concepts, tools, and techniques in their home organizations and,

(2) spread that training, knowledge, and skills to their organizations, local areas, regions, and states.

This study is being conducted by AHRQ through its contractor, Health Research & Educational Trust (HRET), pursuant to AHRQ's statutory authority to conduct and support research on health care and on systems for the delivery of such care, including activities with respect to the quality, effectiveness, efficiency, appropriateness and value of health care services and with respect to quality measurement and improvement. 42 U.S.C. 299a(a)(1) and (2).

Method of Collection

To achieve the goals of this assessment the following two data collections will be implemented:

(1) Web-based questionnaire to examine post-training activities and teamwork outcomes as a result of training from multiple perspectives. The questionnaire is directed to all master training participants. Items will cover post-training activities, implementation experiences, facilitators and barriers to implementation encountered, and perceived outcomes as a result of these activities.

(2) Semi-structured interviews will be conducted with members from organizations who participated in the TeamSTEPPS Master Training program. Information gathered from these interviews will be analyzed and used to draft a ''lessons learned'' document that will capture additional detail on the issues related to participants' and organizations' abilities to implement and disseminate the TeamSTEPPS post-training. The organizations will vary in terms of type of organization (e.g., QIO or hospital associations versus health care systems) and region (i.e., Northeast, Midwest, Southwest, Southeast, Mid-Atlantic, and West Coast). In addition, we will strive to ensure representativeness of the sites by ensuring that the distribution of organizations mirrors the distribution of organizations in the master training population. For example, if the distribution of organizations is such that only one out of every five organizations is a QIO, we will ensure that a maximum of two organizations in the sample are QIOs. The interviews will more accurately reveal the degree of training spread for the organizations included. Interviewees will be drawn from qualified individuals serving in one of two roles (i.e., implementers or facilitators). The interview protocol will be adapted for each role based on the respondent group and to some degree, for each individual, based on their training and patient safety experience.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated annualized burden hours for the respondent's time to participate in the study. Semi-structured interviews will be conducted with a maximum of 9 individuals from each of 9 participating organizations and will last about one hour each. The training participant questionnaire will be completed by approximately 10 individuals from each of about 240 organizations and is estimated to require 20 minutes to complete. The total annualized burden is estimated to be 881 hours.

Exhibit 2 shows the estimated annualized cost burden based on the respondents' time to participate in the study. The total cost burden is estimated to be $38,923.

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Hours per response	Total burden hours
Semi-structured interview	9	9	60/60	81
Training participant questionnaire	240	10	20/60	800
Total	249	NA	NA	881

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN

Form name	Number of respondents	Total burden hours	Average hourly wage rate *	Total cost burden
Semi-structured interview	9	81	$44.18	$3,579
Training participant questionnaire	240	800	44.18	35,344
Total	249	881	NA	38,923

* Based upon the mean of the average wages for all health professionals (29–000) for the training participant questionnaire and for executives, administrators, and managers for the organizational leader questionnaire presented in the National Compensation Survey: Occupational Wages in the United States, May, 2012, U.S. Department of Labor, Bureau of Labor Statistics. *http://www.bls.gov/oes/current/oes_nat.htm#37-0000*.

Request for Comments

In accordance with the above-cited Paperwork Reduction Act legislation, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ health care research and health care information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) 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 upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Dated: August 16, 2013.

Carolyn M. Clancy,

Director.

[FR Doc. 2013–20826 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–90–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Scientific Information Request on Imaging Tests for the Diagnosis and Staging of Pancreatic Adenocarcinoma

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Request for scientific information submissions.

SUMMARY: The Agency for Healthcare Research and Quality (AHRQ) is seeking scientific information submissions from the public on imaging tests for the diagnosis and staging of pancreatic adenocarcinoma. Scientific information is being solicited to inform our review of *Imaging Tests for the Diagnosis and Staging of Pancreatic Adenocarcinoma,* which is currently being conducted by the Evidence-based Practice Centers for the AHRQ Effective Health Care Program. Access to published and unpublished pertinent scientific information on imaging tests for the diagnosis and staging of pancreatic adenocarcinoma will improve the quality of this review. AHRQ is conducting this comparative effectiveness review pursuant to Section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, Public Law 108–173, and Section 902(a) of the Public Health Service Act, 42 U.S.C. 299a(a).

DATES: *Submission Deadline* on or before September 26, 2013.

ADDRESSES: *Online submissions: http://effectivehealthcare.AHRQ.gov/index.cfm/submit-scientific-information-packets/.* Please select the study for which you are submitting information from the list to upload your documents.

Email submissions: SIPS@epc-src.org.

Print submissions:

Mailing Address: Portland VA Research Foundation, Scientific Resource Center, ATTN: Scientific Information Packet Coordinator, P.O. Box 69539, Portland, OR 97239.

Shipping Address (FedEx, UPS, etc.): Portland VA Research Foundation, Scientific Resource Center, ATTN: Scientific Information Packet Coordinator, 3710 SW U.S. Veterans Hospital Road, Mail Code: R&D 71, Portland, OR 97239.

FOR FURTHER INFORMATION CONTACT: Robin Paynter, Research Librarian, Telephone: 503–220–8262 ext. 58652 or Email: *SIPS@epc-src.org.*

SUPPLEMENTARY INFORMATION: The Agency for Healthcare Research and Quality has commissioned the Effective Health Care (EHC) Program Evidence-based Practice Centers to complete a review of the evidence for *Imaging Tests for the Diagnosis and Staging of Pancreatic Adenocarcinoma.*

The EHC Program is dedicated to identifying as many studies as possible that are relevant to the questions for each of its reviews. In order to do so, we are supplementing the usual manual and electronic database searches of the literature by requesting information from the public (e.g., details of studies conducted). We are looking for studies that report on *Imaging Tests for the Diagnosis and Staging of Pancreatic Adenocarcinoma,* including those that describe adverse events. The entire research protocol, including the key questions, is also available online at:

http://www.effective healthcare.AHRQ.gov/search-for-guides-reviews-and-reports/?page action=displayproduct &productID=1620.

This notice is to notify the public that the EHC program would find the following information on *imaging tests for the diagnosis and staging of pancreatic adenocarcinoma* helpful:

- A list of completed studies your company has sponsored for this indication. In the list, *indicate whether results are available on ClinicalTrials.gov along with the ClinicalTrials.gov trial number.*
- *For completed studies that do not have results on ClinicalTrials.gov,* a summary, including the following elements: Study number, study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, primary and secondary outcomes, baseline characteristics, number of patients screened/eligible/enrolled/lost to follow-up/withdrawn/analyzed, effectiveness/efficacy, and safety results.
- *A list of ongoing studies your company has sponsored for this indication.* In the list, please provide the ClinicalTrials.gov trial number or, if the trial is not registered, the protocol for the study including a study number, the study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, and primary and secondary outcomes.
- Description of whether the above studies constitute *ALL Phase II and above clinical trials* sponsored by your company for this indication and an index outlining the relevant information in each submitted file.

Your contribution is very beneficial to the Program. The contents of all submissions will be made available to the public upon request. Materials submitted must be publicly available or can be made public. Materials that are considered confidential; marketing materials; study types not included in the review; or information on indications not included in the review cannot be used by the Effective Health Care Program. This is a voluntary request for information, and all costs for complying with this request must be borne by the submitter.

The draft of this review will be posted on AHRQ's EHC program Web site and available for public comment for a period of 4 weeks. If you would like to be notified when the draft is posted, please sign up for the email list at: *http://effectivehealthcare.AHRQ.gov/index.cfm/join-the-email-list1/.*

The systematic review will answer the following questions. This information is provided as background. AHRQ is not requesting that the public provide answers to these questions. The entire research protocol, is also available online at: *http://www.effective healthcare.AHRQ.gov/search-for-guides-reviews-and-reports/?page action=displayproduct&product ID=1620.*

The Key Questions

Question 1

What is the comparative effectiveness of imaging techniques (e.g., MDCT angiography ± 3D reconstruction, other MDCT, EUS–FNA, PET–CT, MRI) for diagnosis of pancreatic adenocarcinoma in adults with suspicious symptoms?

a. What is the accuracy of each imaging technique for diagnosis and assessment of resectability?

b. What is the comparative accuracy of the different imaging techniques for diagnosis and assessment of resectability?

c. What is the comparative diagnostic accuracy of using a single imaging technique versus using multiple imaging techniques?

d. How is test experience (e.g., operative experience, assessor experience, center's annual volume) related to comparative diagnostic accuracy of the different imaging strategies?

e. How are patient factors and tumor characteristics related to the comparative diagnostic accuracy of the different imaging strategies?

f. What is the comparative clinical management after the different imaging strategies when used for diagnosis?

What is the comparative impact of the different imaging strategies on long-term survival and quality of life when used for diagnosis?

Question 2

What is the comparative effectiveness of imaging techniques (e.g., MDCT angiography ± 3D reconstruction, other MDCT, EUS–FNA, PET–CT, MRI) for *staging* of pancreatic adenocarcinoma among adults with a diagnosis of pancreatic adenocarcinoma?

a. What is the staging accuracy of each imaging technique (for tumor size, lymph node status, vessel involvement, metastases, stage [I–IV], and resectability)?

b. What is the comparative staging accuracy among the different imaging techniques?

c. What is the comparative staging accuracy of using a single imaging technique versus using multiple imaging techniques?

d. How is test experience (e.g., operative experience, assessor experience, center's annual volume) related to comparative staging accuracy of the different imaging strategies?

e. How are patient factors and tumor characteristics related to the comparative staging accuracy of the different imaging strategies?

f. What is the comparative clinical management of the different imaging strategies when used for staging?

What is the comparative impact of the different imaging strategies on long-term survival and quality of life when used for staging?

Question 3

What are the rates of harms of imaging techniques (e.g., MDCT angiography ± 3D reconstruction, other MDCT, EUS–FNA, PET–CT, MRI) when used to diagnose and/or stage pancreatic adenocarcinoma?

a. How are patient factors related to the harms of different imaging techniques?

What are patient perspectives on the tolerance of different imaging techniques and the balance of benefits and harms of different imaging techniques?

Question 4

What is the comparative screening accuracy of imaging techniques (e.g., MDCT angiography ± 3D reconstruction, other MDCT, EUS–FNA, PET–CT, MRI) in high-risk asymptomatic adults (i.e., those at genetic or familial risk of pancreatic adenocarcinoma)?

Dated: August 19, 2013.

Carolyn M. Clancy,

AHRQ, Director.

[FR Doc. 2013–20849 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0520]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Substances Prohibited From Use in Animal Food or Feed; Animal Proteins Prohibited in Ruminant Feed; Extension

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 26, 2013.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0339 and title ''Substances Prohibited From Use in Animal Food or Feed; Animal Proteins Prohibited in Ruminant Feed.'' Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 1350 Piccard Dr., PI50–400B, Rockville, MD 20850, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Substances Prohibited From Use in Animal Food or Feed; Animal Proteins Prohibited in Ruminant Feed—21 CFR 589.2000(e)(1)(iv)—(OMB Control Number 0910–0339)—Extension

This information collection was established because epidemiological evidence gathered in the United Kingdom suggested that bovine spongiform encephalopathy (BSE), a progressively degenerative central nervous system disease, is spread to ruminant animals by feeding protein derived from ruminants infected with BSE. This regulation places general requirements on persons that manufacture, blend, process, and distribute products that contain or may contain protein derived from mammalian tissue, and feeds made from such products.

Specifically, this regulation requires renderers, feed manufacturers, and others involved in feed and feed ingredient manufacturing and distribution to maintain written procedures specifying the cleanout procedures or other means, and specifying the procedures for separating products that contain or may contain protein derived from mammalian tissue from all other protein products from the time of receipt until the time of shipment. These written procedures are intended to help the firm formalize their processes, and then to help inspection personnel confirm that the firm is operating in compliance with the regulation. Inspection personnel will evaluate the written procedure and confirm it is being followed when they are conducting an inspection.

These written procedures must be maintained as long as the facility is operating in a manner that necessitates the record, and if the facility makes changes to an applicable procedure or process the record must be updated. Written procedures required by this section shall be made available for inspection and copying by FDA.

In the **Federal Register** of May 16, 2013 (78 FR 28852), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR section	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Maintaining written procedures (§ 589.2000 (e)(1)(iv))	400	1	400	14	5,600

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: August 21, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–20821 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2012–D–0938]

Draft Guidance for Industry on Abbreviated New Drug Applications: Stability Testing of Drug Substances and Products, Questions and Answers; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a draft guidance for industry entitled ''ANDAs: Stability Testing of Drug Substances and Products, Questions and Answers.'' This draft guidance clarifies stability testing recommendations for abbreviated new drug applications (ANDAs) by providing responses to public comments in a questions-and-answers format. This draft guidance addresses public comments regarding FDA's recommendation to generic drug manufacturers to follow International Conference on Hamonisation (ICH) stability guidances Q1A (R2) through Q1E.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by October 28, 2013.

ADDRESSES: Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 2201, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist the office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

Submit electronic comments on the draft guidance to *http://www.regulations.gov.* Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Room 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Radhika Rajagopalan, Center for Drug Evaluation and Research (HFD–640), Food and Drug Administration, 7500 Standish Pl., MPN2, Rm. 243, Rockville, MD 20855, 240–276–8546.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''ANDAs: Stability Testing of Drug Substances and Products, Questions and Answers.'' Because of increases in the number and complexity of ANDAs and FDA's desire to standardize generic drug review, on September 25, 2012 (77 FR 58999), FDA published a draft and on June 20, 2013 (78 FR 37231), published a final guidance recommending the generic industry follow the approach in the ICH stability-related guidances: (1) ''Q1A(R2) Stability Testing of New Drug Substances and Products,'' November 2003; (2) ''Q1B Photostability Testing of New Drug Substances and Products,'' November 1996; (3) ''Q1C Stability Testing for New Dosage Forms,'' November 1996; (4) ''Q1D Bracketing and Matrixing Designs for Stability Testing of New Drug Substances and Products,'' January 2003; and (5) ''Q1E Evaluation of Stability Data,'' June 2004. These guidances can be found on the FDA Guidances (Drugs) Web site under International Conference on Harmonisation—Quality at *http://www.fda.gov/Drugs/GuidanceCompliance RegulatoryInformation/Guidances/ucm065005.htm.* FDA also recommended that industry follow the ICH outlined definitions, glossaries, references, and attachments.

While carefully considering the public comments on the September 2012 draft guidance, we decided to publish a draft guidance in a questions-and-answers format. This draft guidance discusses stability testing relating to general questions, drug master files, drug product manufacturing and packaging, amendments to pending ANDA applications, and stability studies.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the Agency's current thinking on ANDAs: Stability Testing of Drug Substances and Products, Questions and Answers. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

II. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.*

III. The Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR parts 312 and 314 have been approved under OMB control numbers 0910–0014 and 0910–0001, respectively.

IV. Electronic Access

Persons with access to the Internet may obtain the document at either *http://www.fda.gov/Drugs/GuidanceCompliance RegulatoryInformation/Guidances/default.htm* or *http://www.regulations.gov.*

Dated: August 22, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–20893 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2012–D–0847]

Guidance for Institutional Review Boards, Clinical Investigators, and Sponsors: Institutional Review Board Responsibilities for Reviewing the Qualifications of Investigators, Adequacy of Research Sites, and the Determination of Whether an Investigational New Drug/Investigational Device Exemption is Needed; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a guidance entitled ''Guidance for IRBs, Clinical Investigators, and Sponsors: IRB Responsibilities for Reviewing the Qualifications of Investigators, Adequacy of Research Sites, and the Determination of Whether an IND/IDE is Needed.'' The guidance announced in this notice is intended to assist institutional review boards (IRBs), clinical investigators, and sponsors involved in clinical investigations of FDA-regulated products in fulfilling responsibilities related to reviewing the qualifications of investigators and adequacy of research sites, and determining whether an investigational new drug (IND) application or investigational device exemption (IDE) is required, to protect the rights and welfare of human subjects involved in biomedical research.

DATES: Submit written or electronic comments on Agency guidances at any time.

ADDRESSES: Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 2201, Silver Spring, MD 20993–0002, 1–888–463–6332 or 301–796–3400; or the Office of Communication, Outreach and Development (HFM–40), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, suite 200N, Rockville, MD 20852–1448, 1–800–835–4709 or 301–827–1800; or the Division of Small Manufacturers, International, and Consumer Assistance, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave. Bldg. 66, Rm. 4621, Silver Spring, MD 20993, 1–800–638–2041 or 301–796–7100. Send one self-addressed adhesive label to assist the office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

Submit electronic comments on the guidance to *http://www.regulations.gov.* Submit written comments on the guidance to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Doreen Kezer, Office of Good Clinical Practice, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 5170, Silver Spring, MD 20993–0002, 301–796–8340.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance entitled ''Guidance for IRBs, Clinical Investigators, and Sponsors: IRB Responsibilities for Reviewing the Qualifications of Investigators, Adequacy of Research Sites, and the

Determination of Whether an IND/IDE is Needed.'' This guidance is intended to assist IRBs, clinical investigators, and sponsors involved in clinical investigations of FDA-regulated products in determining that the proposed research satisfies the criteria for approval contained in 21 CFR 56.111, that ''[r]isks to subjects are minimized . . . [and] reasonable in relation to anticipated benefits, if any, to subjects . . .'' In particular, the guidance addresses the IRB's role in reviewing: (1) The qualifications of clinical investigators, (2) the adequacy of the research site, and (3) the determination of whether an IND/IDE is required.

Many of the recommendations in this guidance have appeared in other FDA guidance documents. FDA has compiled the recommendations from these various sources into this guidance to ensure that all IRBs have access to it. The guidance also explains how IRBs may efficiently fulfill these important responsibilities.

To enhance protection of human subjects and reduce regulatory burden, the Department of Health and Human Services, Office for Human Research Protections (OHRP), and FDA have been actively working to harmonize the Agencies' regulatory requirements and guidance for human subject research. This guidance document was developed as a part of these efforts and in consultation with OHRP.

In the **Federal Register** of November 20, 2012 (77 FR 69631), FDA announced the availability of the draft guidance of the same title. FDA received several comments on the draft guidance, and considered them in preparing the final guidance. In the final guidance, FDA clarified that IRBs, sponsors, and clinical investigators all have responsibility for ensuring that the research complies with applicable laws and regulations and that risks to subjects are minimized. FDA also made changes to confirm that the recommendations in the guidance may be fulfilled by any IRB, whether independent or affiliated with an institution, and whether serving as a local IRB or as the central IRB, and made editorial changes to improve clarity. The guidance announced in this notice finalizes the draft guidance dated November 2012, and replaces Question 56 in FDA's guidance entitled ''Institutional Review Boards Frequently Asked Questions—Information Sheet—Guidance for Institutional Review Boards and Clinical Investigators.'' [1]

[1] See *http://www.fda.gov/RegulatoryInformation/Guidances/ucm126420.htm#GeneralQuestions.*

The guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents FDA's current thinking on this topic. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

II. The Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information found in FDA regulations subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). None of the collections of information referenced in this guidance are new or represent material modifications to previously approved collections of information. The collections of information under 21 CFR part 312 have been approved under OMB control number 0910–0014; the collections of information under 21 CFR part 812 have been approved under OMB control number 0910–0078; and the collections of information under 21 CFR part 56 have been approved under OMB control number 0910–0130.

III. Comments

Interested persons may submit either electronic comments regarding this guidance to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.*

IV. Electronic Access

Persons with access to the Internet may obtain the document at *http://www.regulations.gov* or *http://www.fda.gov/ScienceResearch/SpecialTopics/RunningClinicalTrials/GuidancesInformationSheetsandNotices/ucm219433.htm.*

Dated: August 21, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–20822 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0972]

Strengthening the Operating Framework and Furthering the Objectives of Coalition for Accelerating Standards and Therapies Initiative (U24)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of grant funds for the support of the Center for Drug Evaluation and Research (CDER) Data Standards Program. The goal of the CDER Data Standards Program is to strengthen and support the Coalition for Accelerating Standards and Therapies (CFAST) Initiative in its efforts to establish and maintain clinical data standards that will enable FDA reviewers to more efficiently perform efficacy analysis of potential new drugs in therapeutic areas that are important to public health.

DATES: Important dates are as follows:

1. The application due date is August 26, 2013.
2. The anticipated start date is September 15, 2013.
3. The expiration date is August 27, 2013.

ADDRESSES: Submit the paper application to: Kimberly Pendleton-Chew, Grants Management (HFA–500), 5630 Fishers Lane, Rm. 2031, Rockville, MD 20857, and a copy to Fatima Frye, Center for Drug Evaluation and Research, 10903 New Hampshire Ave., Bldg. 51, Rm. 1195, Silver Spring, MD 20993. For more information, see section III of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Fatima Frye, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 1195, Silver Spring, MD 20993, 301–796–4863; or Kimberly Pendleton-Chew, Office of Acquisition Support and Grants, Food and Drug Administration, 5630 Fishers Lane, Rm. 2031, Rockville, MD 20857, 301–827–9363, email: *Kimberly.Pendleton@fda.hhs.gov.*

For more information on this funding opportunity announcement (FOA) and to obtain detailed requirements, please refer to the full FOA located at *http://www.fda.gov/Drugs/DevelopmentApprovalProcess/*

FormsSubmissionRequirements/ ElectronicSubmissions/ucm364432.htm.

SUPPLEMENTARY INFORMATION:

I. Funding Opportunity Description

RFA–FD–13–039
93.103

A. Background

CDER receives an enormous and growing amount of data in a variety of regulatory submissions from a multitude of sources and in a variety of formats. This wealth of data holds great potential to advance CDER's regulatory and scientific work, but the present lack of standardized data creates significant challenges to realizing that potential. The volume and complexity of drug-related information submitted to CDER for regulatory review is creating significant challenges to the Center's ability to efficiently and effectively perform its critical public health mission.

The lack of standardized data affects CDER's review processes by curtailing a reviewer's ability to perform integral tasks such as rapid acquisition, analysis, storage, and reporting of regulatory data. Improved data quality, accessibility, and predictability will give reviewers more time to carry out complex analyses, ask in-depth questions, and address late-emerging issues. Standardized data will allow reviewers to increase review consistency and perform evaluations across the drug lifecycle. This will enhance the Center's performance across key drug regulatory functions and ongoing business operations, including premarket review, post-market safety, oversight of drug quality, and oversight of drug promotion.

Standardized data elements that are common to all clinical trials, such as age and gender, have been established through Clinical Data Interchange Standards Consortium standards. However, data elements that are unique for a particular disease or therapeutic area still need to be developed so that the data are consistent and consistently understood for efficacy analysis, and that data from multiple trials can be more easily grouped for reporting and meta-analysis.

In short, establishing common standards for data reporting will provide new opportunities to transform the massive amount of data from drug studies on specific diseases into useful information to potentially speed the delivery of new therapies to patients.

B. Research Objectives

The CFAST Initiative aims to accelerate clinical research and medical product development by establishing and maintaining data standards, tools, and methods for conducting research in therapeutic areas that are important to public health. It is established as a public-private partnership (PPP) involving multiple stakeholders. The Grantee funded through this announcement would be expected to accomplish activities such as, but not limited to:

- Maintenance of the scientific and administrative infrastructure of the PPP to support a series of projects under the CFAST Initiative.
- Coordination and management of therapeutic area standards development projects with key experts in the specific therapeutic areas, including stakeholders from industry, professional organizations, academia, and Government agencies.
- Identification and engagement with key experts in the therapeutic areas, including stakeholders from industry, professional organizations, academia, and Government agencies.
- Development of therapeutic area data standards, initially proposed for diabetes, QT studies, lipid lowering/ altering drugs, and hepatitis C. Additional or different areas can be considered as well.
- Identification and implementation of continuous quality improvements with respect to the data standards development process and product(s) to facilitate timely and sustainable standards.

C. Eligibility Information

The following organization is eligible to apply: The Critical Path Institute (C-Path).

Over the past 7 years, C-Path has become an international leader in forming and leading/managing collaborations globally. They currently lead 7 very active scientific consortia across multiple disease areas. C-Path consortia include more than 1,000 scientists from Government, academia, patient advocacy organizations, and 41 major pharmaceutical companies. C-Path has a proven process, capability, and institutional knowledge critical to successfully leading scientific consortia and rapid therapeutic area standards development projects through an open, transparent process as identified by the Prescription Drug User Fee Act V.

II. Award Information/Funds Available

A. Award Amount

Total amount of funding available is $2,000,000. Anticipate one award.

B. Length of Support

Scope of the proposed project should determine the project period. The maximum period is 3 years.

III. Paper Application, Registration, and Submission Information

To submit a paper application in response to this FOA, applicants should first review the full announcement located at *http://www.fda.gov/Drugs/ DevelopmentApprovalProcess/ FormsSubmissionRequirements/ ElectronicSubmissions/ucm364432.htm.* (FDA has verified the Web site addresses throughout this document, but FDA is not responsible for any subsequent changes to the Web sites after this document publishes in the **Federal Register**.) Persons interested in applying for a grant may obtain an application at *http://www.fda.gov/ Drugs/DevelopmentApprovalProcess/ FormsSubmissionRequirements/ ElectronicSubmissions/ucm364432.htm.* For all the paper application submissions, the following steps are required:

- Step 1: Obtain a Dun and Bradstreet (DUNS) Number
- Step 2: Register With System for Award Management (SAM)
- Step 3: Register With Electronic Research Administration (eRA) Commons

Steps 1 and 2, in detail, can be found at *http://www07.grants.gov/applicants/ organization_registration.jsp.* Step 3, in detail, can be found at *https:// commons.era.nih.gov/commons/ registration/registrationInstructions.jsp.* After you have followed these steps, submit paper applications to: Kimberly Pendleton-Chew, 5630 Fishers Lane, Rm. 2031, Rockville, MD 20857, 301–827–9363, email: *Kimberly.Pendleton@ fda.hhs.gov.*

Dated: August 21, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–20823 Filed 8–26–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by an agency of the U.S. Government and are available for

licensing in the U.S. in accordance with 35 U.S.C. 209 and 37 CFR Part 404 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Licensing information and copies of the U.S. patent applications listed below may be obtained by writing to the indicated licensing contact at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: 301–496–7057; fax: 301–402–0220. A signed Confidential Disclosure Agreement will be required to receive copies of the patent applications.

Monoclonal Antibodies That Recognize the Human Type I Interferon Receptor and Block Interferon Signaling

Description of Technology: Type I interferons play a critical role in both innate and adaptive immunity through the stimulation of the IFNAR1 which initiates interferon signaling in response to viral and bacterial infections. However, abnormal interferon signaling is associated with human diseases, such as lupus. The present invention discloses six hybridomas that produce mouse monoclonal antibodies specific for the extracellular domain of human IFNAR1. Two of the monoclonal antibodies are able to bind IFNAR1 and reduce interferon signaling. As such, they can be utilized as a research tool for studying the expression of IFNAR1 and the inhibition of IFNAR1 function in humans or possibly as therapeutic reagents for human diseases.

Potential Commercial Applications:

- Research reagents for studying the expression and signaling of IFNAR1.
- A potential therapeutic reagent.

Competitive Advantages:

- Specific for the extracellular domain of human IFNAR1. Can therefore specifically recognize receptor expressed on the cell surface.
- Bind IFNAR1 and reduce interferon signaling

Development Stage:

- Pilot
- In vitro data available

Inventors: Sonja M. Best, Kirk Lubick, Shelly J. Robertson (NIAID)

Publications:

1. Goldman LA, et al. Characterization of antihuman IFNAR–1 monoclonal antibodies: epitope localization and functional analysis. J Interferon Cytokine Res. 1999 Jan;19(1):15–26. [PMID 10048764]

2. Benoit P, et al. A monoclonal antibody to recombinant human IFN-alpha receptor inhibits biologic activity of several species of human IFN-alpha, IFN-beta, and IFN-omega. Detection of heterogeneity of the cellular type I IFN receptor. J Immunol. 1993 Feb 1;150(3):707–16. [PMID 8423335]

Intellectual Property: HHS Reference No. E–527–2013/0—Research Material. Patent protection is not being pursued for this technology.

Licensing Contact: Susan Ano, Ph.D.; 301–435–5515; *anos@mail.nih.gov.*

Collaborative Research Opportunity: The National Institute of Allergy and Infectious Diseases (NIAID) is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate or commercialize human type I interferon receptor antibodies. For collaboration opportunities, please contact Alicia Evangelista at *alicia.evangelista@nih.gov* or 301–594–1673.

Anthrax Fusion Toxins With Improved Ability To Penetrate Cells

Description of Technology: Available for licensing are novel conjugated or fusion proteins comprised of anthrax toxin lethal factor cytolethal distending toxin subunit B. Several human tumor cell lines have been found to be highly sensitive to these toxins with LD50 values in the pM range. *In vivo* studies in mice have revealed that these toxins selectively treat tumors and have very low systemic toxicity.

Potential Commercial Applications:

- Pharmaceutical compositions to selectively treat cancer
- Applications to treat or prevent growth of undesirable cells

Competitive Advantages:

- Selective with low systemic toxicity
- Potent (pM LD50 values)

Development Stage:

- Early-stage
- In vitro data available
- In vivo data available (animal)

Inventors: Christopher Bachran and Stephen Leppla (NIAID)

Intellectual Property: HHS Reference No. E–120–2013/0—US Application No. 61/837,428 filed June 20, 2013

Licensing Contact: Patrick McCue, Ph.D.; 301–435–5560; *mccuepat@mail.nih.gov.*

Method and Platform for Selectively Labeling RNA

Description of Technology: The invention pertains to a three step initiation, elongation and termination method and platform for synthesizing selectively labeled RNA molecules by first polymerizing a first liquid phase RNA molecule from a solid phased DNA template fixed onto a solid phase. The method includes the steps of incubating the solid and liquid phases at appropriate elongation temperatures and then terminating elongation by a separation stage where the phases are incubated at near 0 degrees Celsius where it selectively terminates RNA elongation. The steps can be repeated by the number bases (rNTPs) in the final RNA molecule wherein in each iterative stage a new rNTP can be added that is selectively labeled. The DNA may have a density of 30–80% on the solid substrate, and the solid substrate may be a bead. The bead may comprise a gel, glass, or a synthetic polymer. The bead may have a diameter of 5–100 mm. The concentration of DNA may be 30 mm–1 nm. The concentration of rNTP may be 1–100 times the DNA concentration. The RNA polymerase may be a T7 RNA polymerase. The label may be $^{13}C/^{5}N$, ^{2}H, Cy3, Cy5, a fluorophore, a heavy atom, or a chemical modification.

Potential Commercial Applications: Differentially labeled diagnostics

Competitive Advantages: Multiple use detection method

Development Stage:

- Prototype
- In vitro data available

Inventors: Yun-Xing Wang (NCI), Liu Yu (NCI), Ping Yu (NCI), Rui Sousa (Univ. Texas Health Science Ctr)

Publications:

1. Guajardo R, Sousa R. A model for the mechanism of polymerase translocation. J Mol Biol. 1997 Jan 10;265(1):8–19. [PMID 8995520]

2. Guo Q, et al. (2005). Major conformational changes during T7RNAP transcription initiation coincide with, and are required for, promoter release. J Mol Biol. 2005 Oct 21;353(2):256–70. [PMID 16169559]

3. Mukherjee S, et al. Structural transitions mediating transcription initiation by T7 RNA polymerase. Cell. 2002 Jul 12;110(1):81–91. [PMID 12150999]

4. Mentesana PE, et al. Characterization of halted T7 RNA polymerase elongation complexes reveals multiple factors that contribute to stability. J Mol Biol. 2000 Oct 6;302(5):1049–62. [PMID 11183774]

Intellectual Property: HHS Reference No. E–119–2013/0—US Provisional Patent Application No. 61/843,864 filed July 8, 2013

Licensing Contact: Michael Shmilovich, Esq., CLP; 301–435–5019; *shmilovm@mail.nih.gov.*

Blood-Based Assay for the Diagnosis and Monitoring of Hyposialylation Disorders

Description of Technology: Sialic acid, a monosaccharide widely distributed in glycoproteins and glycolipids, plays an important role in biological processes such as cellular adhesion, cellular communication and signal transduction. Reduced levels of sialic acid in tissues (also known as hyposialylation) affect the function of muscle, kidney, and other organ systems, and are found in a number of disorders, such as hereditary inclusion body myopathy (HIBM, also known as GNE myopathy), renal hyposialylation disorders, and congenital disorders of glycosylation.

The inventors have developed a sensitive, reliable assay for the diagnosis of hyposialylation disorders that detects a novel glycoprotein biomarker in a patient blood sample. This assay has been validated using samples from patients with GNE myopathy and other hyposialylation disorders. A distinct advantage of this assay is that it is minimally invasive, unlike many currently-available methods for diagnosing hyposialylation disorders, which typically require a tissue biopsy. In particular, this biomarker represents the first non-invasive method for diagnosis of renal hyposialylation.

Potential Commercial Applications:

- Diagnostic assay to detect hyposialylation
- Monitoring tool to track patient response to sialylation-increasing therapy

Competitive Advantages: A blood-based assay based on this technology would be less invasive, time-consuming, and costly than a tissue biopsy, which is the current diagnostic standard for hyposialylation disorders, particularly kidney disorders.

Development Stage:

- Early-stage
- In vitro data available

Inventors: Marjan Huizing (NHGRI), William Gahl (NHGRI), Nuria Carrillo-Carrasco (NCATS)

Intellectual Property: HHS Reference No. E–056–2013/0—U.S. Application No. 61/785,094 filed 14 Mar 2013

Related Technologies:

- HHS Reference No. E–217–2007/0—N-Acetyl Mannosamine as a Therapeutic Agent
- HHS Reference No. E–270–2011/0—Encapsulated N-Acetylmannosamine or N-Acetylneuraminic Acid to Increase Sialylation

Licensing Contact: Tara Kirby, Ph.D.; 301–435–4426; *tarak@mail.nih.gov*.

Vaccine Adjuvant for Inducing Th17 Focused Response

Description of Technology: Adjuvant selection can be critical to a vaccine's effectiveness. Ideally, an adjuvant will target and activate specific immune pathways to increase the magnitude of a response to the vaccine. A limited range of adjuvants are presently available for human clinical use; these primarily affect T helper cells 1 and 2 (Th1 and Th2). Currently, no adjuvants are approved for human use which primarily affect IL–17-producing T helper cells (Th17) cells. Th17 focused adjuvants may prove critical for developing operative vaccines against pathogens where Th17 activity is essential for protection. This technology relates to novel adjuvants activating either caspase-associated recruitment domain protein 9 (CARD9) or caspase 1 pathways, or a combination of the two; and methods for using these adjuvants for stimulating an immune response. These adjuvants induce Th17 focused stimulation, which may prove essential to development of effective vaccines against a range of pathogens including bacteria and fungi.

Potential Commercial Applications: Vaccine

Competitive Advantages: Th17 skewing adjuvant

Development Stage: Early-stage

Inventors: Alan Sher (NIAID), Kevin Shenderov (NIAID), Vincenzo Cerundolo (University of Oxford, U.K.), Gurdyal Besra (University of Birmingham, U.K.)

Publication: Shenderov K, et al. Cord factor and peptidoglycan recapitulate the Th17-promoting adjuvant activity of mycobacteria through mincle/CARD9 signaling and the inflammasome. J Immunol. 2013 Jun 1;190(11):5722–30. [PMID 23630357]

Intellectual Property: HHS Reference No. E–089–2012/0—U.S. Provisional Patent Application No. 61/709,713 filed October 4, 2012

Licensing Contact: Edward (Tedd) Fenn, J.D.; 424–500–2005; *Tedd.fenn@nih.gov*.

Collaborative Research Opportunity: The National Institute of Allergy and Infectious Diseases is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate or commercialize this technology. For collaboration opportunities, please contact Richard Kitei at 301–496–2644.

Dated: August 22, 2013.

Richard U. Rodriguez,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2013–20888 Filed 8–26–13; 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; AREA: Oncological Sciences Grant Application.

Date: September 20, 2013.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Denise R Shaw, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6158, MSC 7804, Bethesda, MD 20892, 301–435–0198, *shawdeni@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR 13–008: Shared Instrumentation: Confocal Microscopy and Imaging.

Date: September 26, 2013.

Time: 8:00 a.m. to 8:00 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: Elena Smirnova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5187, MSC 7840, Bethesda, MD 20892, 301–435–1236, *smirnove@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, 2013.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–20884 Filed 8–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed 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 contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Wireless Physiologic Telemetry for Interventional MRI.

Date: September 16, 2013.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Susan Wohler Sunnarborg, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National, Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7182, Bethesda, MD 20892, *sunnarborgsw@nhlbi.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: August 21, 2013.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–20885 Filed 8–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the Board of Scientific Counselors, National Institute of Mental Health.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute of Mental Health, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, National Institute of Mental Health.

Date: September 30–October 2, 2013.

Time: 4:00 p.m. to 1:30 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: Hilton Washington/Rockville, 1750 Rockville Pike, Rockville, MD 20852.

Contact Person: Rebecca C Steiner, Ph.D., Executive Secretary, National Institute of Mental Health, NIH Neuroscience Center, 6001 Executive Blvd., Room 6149, MSC 9606, Bethesda, MD 20892–9606, 301–443–4525, *steinerr@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: *August 21, 2013.*

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–20881 Filed 8–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Time-Sensitive Obesity Research.

Date: September 16, 2013.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Michele L. Barnard, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 753, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, (301) 594–8898, *barnardm@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; R13 Conference Applications.

Date: October 10, 2013.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: D.G. Patel, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 756, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7682, *pateldg@niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Artificial Pancreas.

Date: October 11, 2013.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: D.G. Patel, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 756, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7682, *pateldg@niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; PAR–12–265: NIDDK Ancillary Studies in Liver Diseases-NAFLD.

Date: October 21, 2013.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy

Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Najma Begum, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 749, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–8894, *begumn@niddk.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: August 21, 2013.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–20887 Filed 8–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel; K Award Teleconference Review Meeting.

Date: November 6, 2013.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, DEM II, Suite 951, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: John K. Hayes, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering, 6707 Democracy Boulevard, Suite 959, Bethesda, MD 20892, 301–451–3398, *hayesj@mail.nih.gov*.

Dated: August 21, 2013.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–20883 Filed 8–26–13; 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: Oncology 1-Basic Translational Integrated Review Group; Cancer Etiology Study Section.

Date: September 26–27, 2013.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites Alexandria Old Town, 1900 Diagonal Road, Alexandria, VA 22314.

Contact Person: Arnold Revzin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4146, MSC 7824, Bethesda, MD 20892, (301) 435–1153, *revzina@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Virology.

Date: September 27, 2013.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Kenneth M Izumi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge, Rm 3204, MSC 7808, Bethesda, MD 20892, 301–496–6980, *izumikm@csr.nih.gov*.

(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, 2013.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–20882 Filed 8–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Nursing Research; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Nursing Research Special Emphasis Panel; Multi-Site Clinical Trial.

Date: September 26, 2013.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, One Democracy Plaza, 6701 Democracy Boulevard, Suite 703, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Yujing Liu, MD, Ph.D. Chief, Office of Review, Division of Extramural Activities, National Institute of Nursing Research, National Institutes of Health, 6701 Democracy Boulevard, Suite 710, Bethesda, MD 20892, (301) 451–5152, *yujing_liu@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.361, Nursing Research, National Institutes of Health, HHS)

Dated: August 21, 2013.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–20886 Filed 8–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive Patent License: Use of Scopolamine to Treat Depression

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: This notice, in accordance with 35 U.S.C. 209 and 37 CFR part 404, that the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an Exclusive Patent License to Antares Pharma Inc., a company having a place of business in Ewing, New Jersey, to practice the inventions embodied in the following patent applications and patents:

1. U.S. Patent Application 11/137,114, filed May 25, 2005, titled ''Scopolamine for the Treatment of Depression and Anxiety'' [HHS Ref. No. E–175–2004/0–US–01];
2. European Patent 1896025, issued December 28, 2011, titled ''Scopolamine for the Treatment of Depression and Anxiety'' [HHS Ref. No. E–175–2004/0–EP–03];
3. German Patent 1896025, issued December 28, 2011, titled ''Scopolamine for the Treatment of Depression and Anxiety'' [HHS Ref. No. E–175–2004/0–DE–07];
4. French Patent 1896025, issued December 28, 2011, titled ''Scopolamine for the Treatment of Depression and Anxiety'' [HHS Ref. No. E–175–2004/0–FR–08];
5. British Patent 1896025, issued December 28, 2011, titled ''Scopolamine for the Treatment of Depression and Anxiety'' [HHS Ref. No. E–175–2004/0–GB–09]; and
6. Canadian Patent Application 2610025, filed May 18, 2006, titled ''Scopolamine for the Treatment of Depression and Anxiety'' [HHS Ref. No. E–175–2004/0–CA–04.

The patent rights in these inventions have been assigned to the Government of the United States of America. The territory of the prospective Exclusive Patent License may be worldwide, and the field of use may be limited to: ''The use of scopolamine for treatment of depression, including major depressive disorder, wherein the route of administration is subcutaneous, intramuscular, or transdermal delivery such as through injection or a patch or topical gel-based product''. This announcement is the second notice to grant an exclusive license to this technology.

DATES: Only written comments and/or applications for a license which are received by the NIH Office of Technology Transfer on or before September 26, 2013 will be considered.

ADDRESSES: Requests for copies of the patents, patent applications, inquiries, comments, and other materials relating to the contemplated Exclusive Patent License should be directed to: Betty B. Tong, Ph.D., Senior Licensing and Patenting Manager, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804; Telephone: (301) 594–6565; Facsimile: (301) 402–0220; Email: *tongb@mail.nih.gov.* A signed confidentiality nondisclosure agreement will be required to receive copies of any patent applications that have not been published or issued by the United States Patent and Trademark Office or the World Intellectual Property Organization.

SUPPLEMENTARY INFORMATION: The subject invention describes the use of scopolamine for the treatment of depression, including major depressive disorders (MDD). Although scopolamine has been employed in the treatment of nausea and motion sickness, the suitability of scopolamine for treating MDD was unrecognized prior to this invention. Current MDD treatments can be ineffective in a large percentage of patients and typically do not take effect until 4 weeks after administration. In contrast, treatment with scopolamine has a wide-ranging and rapid effect, suggesting it can be effective either as a standalone treatment or as a treatment for patients who are unresponsive to currently available drugs.

The prospective Exclusive Patent License will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR part 404. The prospective Exclusive Patent License may be granted unless within thirty (30) days from the date of this published notice, NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR part 404.

Complete applications for a license in the prospective field of use that are filed in response to this notice will be treated as objections to the grant of the contemplated Exclusive Patent License. Comments and objections submitted in response to this notice will not be made available for public inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: August 22, 2013.

Richard U. Rodriguez,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2013–20880 Filed 8–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[USCG–2013–0222]

Collection of Information under Review by Office of Management and Budget

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an approval for the following collection of information: 1625—NEW, U.S. Coast Guard Non-Appropriated Fund Employment Application. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: Comments must reach the Coast Guard and OIRA on or before September 26, 2013.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2013–0222] to the Docket Management Facility (DMF) at the U.S. Department of Transportation (DOT) and/or to OIRA. To avoid duplicate submissions, please use only one of the following means:

(1) *Online:* (a) To Coast Guard docket at *http://www.regulations.gov.* (b) To OIRA by email via: *OIRA-submission@omb.eop.gov* .

(2) *Mail:* (a) DMF (M–30), DOT, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. (b) To OIRA, 725 17th Street NW., Washington, DC 20503, attention Desk Officer for the Coast Guard.

(3) *Hand Delivery:* To DMF address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(4) *Fax:* (a) To DMF, 202–493–2251. (b) To OIRA at 202–395–6566. To

ensure your comments are received in a timely manner, mark the fax, attention Desk Officer for the Coast Guard.

The DMF maintains the public docket for this Notice. Comments and material received from the public, as well as documents mentioned in this Notice as being available in the docket, will become part of the docket and will be available for inspection or copying at Room W12–140 on the West Building Ground Floor, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find the docket on the Internet at *http://www.regulations.gov*.

A copy of the ICR is available through the docket on the Internet at *http://www.regulations.gov*. Additionally, copies are available from: COMMANDANT (CG–612), ATTN: PAPERWORK REDUCTION ACT MANAGER, US COAST GUARD, 2703 MARTIN LUTHER KING JR AVE. SE., STOP 7710, WASHINGTON DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Smith, Office of Information Management, telephone 202–475–3532 or fax 202–475–3929, for questions on these documents. Contact Ms. Barbara Hairston, Program Manager, Docket Operations, 202–366–9826, for questions on the docket.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This Notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG 2013–0222], and must be received by September 26, 2013. We will post all comments received, without change, to *http://www.regulations.gov*. They will include any personal information you provide. We have an agreement with DOT to use their DMF. Please see the ''Privacy Act'' paragraph below.

Submitting Comments

If you submit a comment, please include the docket number [USCG–2013–0222], indicate the specific section of the document to which each comment applies, providing a reason for each comment. You may submit your comments and material online (via *http://www.regulations.gov*), by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via *www.regulations.gov,* it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the DMF. We recommend you include your name, mailing address, an email address, or other contact information in the body of your document so that we can contact you if we have questions regarding your submission.

You may submit comments and material by electronic means, mail, fax, or delivery to the DMF at the address under **ADDRESSES**, but please submit them by only one means. To submit your comment online, go to *http://www.regulations.gov,* and type ''USCG–2013–0222'' in the ''Keyword'' box. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and will address them accordingly.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this Notice as being available in the docket, go to *http://www.regulations.gov,* click on the ''read comments'' box, which will then become highlighted in blue. In the ''Keyword'' box insert ''USCG–2013–0222'' and click ''Search.'' Click the ''Open Docket Folder'' in the ''Actions'' column. You may also visit the DMF in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

OIRA posts its decisions on ICRs online at *http://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625—NEW.

Privacy Act

Anyone can search the electronic form of comments received in dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act statement regarding Coast Guard public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (78 FR 26798, May 8, 2013) required by 44 U.S.C. 3506(c)(2). That Notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Requests

Title: U.S. Coast Guard Non-Appropriated Fund Employment Application.

OMB Control Number: 1625—NEW.

Type of Request: New collection.

Respondents: Public applying for positions with the USCG Non-Appropriated Fund Workforce.

Abstract: The employment application is needed to allow individuals without resumes and/or computers access to apply for employment in the Coast Guard non-appropriated fund (NAF) workforce. Application needed to fill the void created when the OPM form OF–612, Optional Application for Federal Employment was cancelled.

Forms: CG–1227B, U.S. Coast Guard Non-appropriated Fund Employment Application.

Hour Burden Estimate: The estimated annual burden 5544 hours.

Dated: August 20, 2013.

R.E. Day,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Command, Control, Communications, Computers and Information Technology.

[FR Doc. 2013–20787 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2013–0799]

Cooperative Research and Development Agreement: Next Generation Arctic Navigational Safety Information System

AGENCY: Coast Guard, DHS.

ACTION: Notice of intent; request for public comments.

SUMMARY: The Coast Guard is announcing its intent to enter into a Cooperative Research and Development Agreement (CRADA) with Marine Exchange of Alaska (MXAK) to develop, demonstrate, and evaluate, in an operational setting, at least one promising technology approach to the ''Next Generation Arctic Maritime Navigational Safety Information System,'' which provides important, time-critical, information to mariners, in order that they may better assess and manage their voyage risks, as they transit the remote and hostile waters of the U.S. Arctic Exclusive Economic Zone (EEZ). While the Coast Guard is currently considering partnering with MXAK, it is soliciting public comment on the possible nature of and participation of other parties in the proposed CRADA. In addition, the Coast Guard also invites other potential non-Federal participants, who have the interest and capability to bring similar contributions to this type of research, to consider submitting proposals for consideration in similar CRADAs.

DATES: Comments and related material on the proposed CRADA must either be submitted to the online docket via *http://www.regulations.gov* on or before September 26, 2013, or reach the Docket Management Facility by that date.

Synopses of proposals regarding future, similar CRADAs must reach the Docket Management Facility on or before February 24, 2014.

ADDRESSES: You may submit comments on this notice identified by docket number USCG–2013–0799 using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

To avoid duplication, please use only one of these four methods. See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, contact Mr. James E. Fletcher, Project Official, U.S. Coast Guard Research and Development Center, 1 Chelsea Street, New London, CT 06320, telephone 860–271–2659, email *James.E.Fletcher@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Ms. Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

We encourage you to submit comments and related material on this notice. All comments received will be posted, without change, to *http://www.regulations.gov* and will include any personal information you have provided.

Do not submit detailed proposals for future CRADAs to the Docket Management Facility. Potential non-Federal CRADA participants should submit these documents directly to James E. Fletcher, U.S. Coast Guard Research and Development Center, 1 Chelsea Street, New London, CT 06320, email *James.E.Fletcher@uscg.mil.*

Submitting Comments

If you submit a comment, please include the docket number for this notice (USCG–2013–0799), and provide a reason for each suggestion or recommendation. You may submit your comments and material online via *http://www.regulations.gov,* or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via *http://www.regulations.gov,* it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and locate this notice by using ''USCG–2013–0799'' as your search term. Click the ''Comment Now'' box opposite this notice and follow the instructions to submit your comment. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period.

Viewing Comments and Related Material

To view the comments and related material, go to *http://www.regulations.gov* and locate this notice by using ''USCG–2013–0799'' as your search term. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act, system of records notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Cooperative Research and Development Agreements

Cooperative Research and Development Agreements are authorized by the Federal Technology Transfer Act of 1986 (Pub. L. 99–502, codified at 15 U.S.C. 3710(a)). A CRADA

promotes the transfer of technology to the private sector for commercial use as well as specified research or development efforts that are consistent with the mission of the Federal parties to the CRADA. The Federal party or parties agree with one or more non-Federal parties to share research resources, but the Federal party does not contribute funding. The Department of Homeland Security (DHS), as an executive agency under 5 U.S.C. 105, is a Federal agency for purposes of 15 U.S.C. 3710(a) and may enter into a CRADA. The Secretary of DHS delegated authority to the Commandant of the Coast Guard to carry out the functions vested in the Secretary by section 2 of the Federal Technology Transfer Act of 1986, which authorizes agencies to permit their laboratories to enter into CRADAs (see DHS Delegation No. 0160.1, para. 2.B(34)). The Commandant has delegated authority in this regard to the Coast Guard's Research and Development Center (R&DC).

CRADAs are not procurement contracts. Care is taken to ensure that CRADAs are not used to circumvent the contracting process. CRADAs have a specific purpose and should not be confused with other types of agreements such as procurement contracts, grants, and cooperative agreements.

Goal of Proposed CRADA

Under the proposed CRADA, the R&DC would collaborate with one or more non-Federal participants. Together, the R&DC and the non-Federal participants would define, develop, demonstrate, and evaluate, in an operational setting, at least one promising technology approach to the ''Next Generation Arctic Maritime Navigational Safety Information System,'' which provides important, time-critical, information to mariners in order that they may better assess and manage their voyage risks as they transit the remote and hostile waters of the U.S. Arctic Exclusive Economic Zone.

Increased maritime activity in the Arctic has raised the potential for maritime accidents and serious environmental harm to that region's fragile environment, warranting the need to implement enhanced maritime safety measures. Presently, the environmental and safety information needed by mariners to identify, assess and mitigate the risks of operating in the Arctic is not available due to a lack of infrastructure that exists in other maritime regions. The proposed CRADA strives to promote a public-private analysis and eventual solution to this problem.

The R&DC, with the non-Federal participants, will mutually define the prototype system that will be developed, installed, utilized, and evaluated under this CRADA. It is anticipated that this system will be a to-be-determined combination of (a) AIS-Transmit, (b) SATCOM, (c) DSC VHF, and (d) other components/sub-systems such as the proposed 500 kHz, 47,400 bits/sec, NAVTEX Replacement being considered by the International Telecommunications Union and the IMO's International NAVTEX Coordinating Panel. Arctic mariner navigational information requirements will drive the design of this prototype system. Care will be taken to (a) minimize and define any additional vessel equipment carriage requirements and (b) define the specific content and format of the information presented to the mariner.

Party Contributions

We anticipate that the Coast Guard's contributions under the proposed CRADA will include the following:

(1) Review and comment on non-Federal participant's preliminary functional design of the prototype system. After discussion and agreement between the CRADA collaborators, the R&DC will develop an Interim CRADA Report, which documents the mutually-agreed-upon design.

(2) Support the non-Federal participant in the development of the AIS-Transmit, SATCOM, and DSC VHF components of the prototype system. It is anticipated that this support will include technology expertise and authorization to transmit on specific frequencies for the DSC VHF components. The R&DC will also provide the proposed 500 kHz, NAVTEX Replacement component, if it is mutually agreed by the collaborators to be part of the prototype system.

(3) Support the non-Federal participant with the installation, testing, operation, and maintenance of the prototype system at specific, jointly-agreed-upon, field locations. The RD&C will develop the test plan and provide any test and network monitoring equipment/capabilities needed, to ensure that the prototype system is ''Ready for Tech Demo Utilization'' and continues to meet the jointly-agreed-upon performance criteria through the duration of the Tech Demo.

(4) Monitor the performance of the prototype system during the Tech Demo. This monitoring will be accomplished in accordance with the above mentioned test plan. The R&DC will also develop an appropriate CRADA Report, which documents the prototype system, its performance, and its utilization by mariners during the Tech Demo period.

We anticipate that the non-Federal participant's contributions under the proposed CRADA will include the following:

(1) Develop a preliminary functional design of the prototype system to be developed and evaluated under this CRADA. The non-Federal participant will collaborate with the RD&C on the final prototype system design and the Interim Report which the RD&C will develop to document said design.

(2) Provide the AIS-Transmit, SATCOM, and DSC VHF components of the prototype system. The non-Federal participant will support the R&DC with the development of the proposed 500 kHz, NAVTEX Replacement, if it is mutually-agreed-upon to be part of the prototype system. It is anticipated that this support will include technical guidance/assistance with any integration with other components of the prototype system, particularly at the planned field installation sites.

(3) Install, test, operate, and maintain the prototype system at specific, mutually-agreed-upon, field locations. The non-Federal participant will provide site space, power, security, and back-haul communications capability for all system components, including the 500 kHz NAVTEX Replacement, if it is mutually-agreed-upon to be part of the prototype system. The non-Federal participant will support the R&DC in test plans/system/components and conduct of the test plan to ensure that the prototype system is ''Ready for Tech Demo Utilization'' and continues to meet the mutually-agreed-upon performance criteria through the duration of the Tech Demo.

(4) Support the R&DC in its monitoring of the performance of the prototype system during the Tech Demo. The non-Federal participant will also support the R&DC in the development of an appropriate CRADA report, which documents the prototype system, its performance, and its utilization by mariners during the Tech Demo period.

Selection Criteria

The Coast Guard reserves the right to select for CRADA participants all, some, or none of the proposals in response to this notice. The Coast Guard will provide no funding for reimbursement of proposal development costs. Proposals (or any other material) submitted in response to this notice will not be returned. Proposals submitted are expected to be unclassified and have no more than four single-sided pages

(excluding cover page and resumes). The Coast Guard will select proposals at its sole discretion on the basis of:

(1) How well they communicate an understanding of, and ability to meet, the proposed CRADA's goal; and

(2) How well they address the following criteria:

(a) Technical capability to support the non-Federal party contributions described; and

(b) Resources available for supporting the non-Federal party contributions described.

Currently, the Coast Guard is considering MXAK for participation in this CRADA. This consideration is based on the fact that MXAK has demonstrated its expertise in providing mariners with important information for the voyage planning and safe navigation of their vessels, and has an established infrastructure within the Arctic for providing such information. However, we do not wish to exclude other viable participants from this or future similar CRADAs.

This is a technology transfer/development effort. Presently, the Coast Guard has no plan to procure an Arctic Navigation Safety Information System (ANSIS) capability. Since the goal of this CRADA is to identify and investigate the advantages, disadvantages, required technology enhancements, performance, costs, and other issues associated with the Next Generation ANSIS, non-Federal CRADA participants will not be excluded from any future Coast Guard procurements based solely on their participation in this CRADA.

Special consideration will be given to small business firms/consortia, and preference will be given to business units located in the U.S.

Authority: This notice is issued under the authority of 15 U.S.C. 3710(a), 5 U.S.C. 552(a), 33 CFR 1.05–1 and DHS Delegation No. 0160.1.

Dated: August 14, 2013.

Alan N. Arsenault,

USCG, Commanding Officer, U.S. Coast Guard Research and Development Center.

[FR Doc. 2013–20789 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0002; Internal Agency Docket No. FEMA–B–1335]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with FEMA regulations. The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Associate Administrator for Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below.

Additionally, the current effective FIRM and FIS report for each

community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of Letter of Map Revision	Effective date of modification	Community No.
Alabama:						
Houston	City of Dothan (12–04–8239P).	The Honorable Mike Schmitz, Mayor, City of Dothan ,P.O. Box 2128, Dothan, AL 36302.	Engineering Department, 126 North St. Andrews, Dothan, AL 36303.	*http://www.bakeraecom.com/index.php/alabama/houston/.*	October 18, 2013	010104
Houston	City of Dothan (13–04–3332P).	The Honorable Mike Schmitz, Mayor, City of Dothan, P.O. Box 2128, Dothan, AL 36302.	Engineering Department, 126 North St. Andrews, Dothan, AL 36303.	*http://www.bakeraecom.com/index.php/alabama/houston/.*	September 27, 2013.	010104
Montgomery	City of Montgomery (13–04–2273P).	The Honorable Todd Strange, Mayor, City of Montgomery ,103 North Perry Street, Montgomery, AL 36104.	Engineering Department, 25 Washington Avenue, Montgomery, AL 36104.	*http://www.bakeraecom.com/index.php/alabama/montgomery/.*	October 31, 2013	010174
Arizona:						
Maricopa	City of Peoria (13–09–0215P).	The Honorable Bob Barrett, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	City Hall, 8401 West Monroe Street, Peoria, AZ 85345.	*http://www.r9map.org/Docs/13-09-0215P-040050-102IAC.pdf.*	October 11, 2013	040050
Maricopa	Unincorporated areas of Maricopa County (13–09–0215P).	The Honorable Andy Kunasek, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson, 10th Floor, Phoenix, AZ 85003.	Maricopa County Flood Control District 2801 West Durango Street, Phoenix, AZ 85009.	*http://www.r9map.org/Docs/13-09-0215P-040037-102IAC.pdf.*	October 11, 2013	040037
Maricopa	Unincorporated areas of Maricopa County (13–09–0216P).	The Honorable Andy Kunasek, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson, 10th Floor, Phoenix, AZ 85003.	Maricopa County Flood Control District, 2801 West Durango Street, Phoenix, AZ 85009.	*http://www.r9map.org/Docs/13-09-0216P-040037-102IAC.pdf.*	September 27, 2013.	040037
Pinal	City of Maricopa (13–09–0917P).	The Honorable Christian Price, Mayor, City of Maricopa P.O. Box 610, Maricopa, AZ 85139.	City Hall, 44624 West Garvey Avenue, Maricopa, AZ 85239.	*http://www.r9map.org/Docs/13-09-0917P-040052.pdf.*	October 21, 2013	040052
Yavapai	Town of Chino Valley (13–09–1088P).	The Honorable Chris Marley, Mayor, Town of Chino Valley, P.O. Box 406, Chino Valley, AZ 86323.	Development Services Department, 1982 Voss Drive, Chino Valley, AZ 86323.	*http://www.r9map.org/Docs/13-09-1088P-040094-102IAC.pdf.*	September 20, 2013.	040094
California:						
Los Angeles	Unincorporated areas of Los Angeles County (13–09–0378P).	The Honorable Mark Ridley-Thomas, Chairman, Los Angeles County Board of Supervisors, 500 West Temple Street, Los Angeles, CA 90012.	Los Angeles County Department of Public Works, 900 South Fremont Avenue, Alhambra, CA 91803.	*http://www.r9map.org/Docs/13-09-0378P-065043-102IAC.pdf.*	September 30, 2013.	065043
Riverside	Unincorporated areas of Riverside County (13–09–0484P).	The Honorable John J. Benoit, Chairman, Riverside County Board of Supervisors, P.O. Box 1647, Riverside, CA 92502.	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.	*http://www.r9map.org/Docs/13-09-0484P-060245-102IAC.pdf.*	September 30, 2013.	060245
Sacramento	City of Citrus Heights (13–09–1081P).	The Honorable Steve Miller, Mayor, City of Citrus Heights, 6237 Fountain Square Drive, Citrus Heights, CA 95621.	General Services Department, Engineering Division, 6237 Fountain Square Drive, Citrus Heights, CA 95621.	*http://www.r9map.org/Docs/13-09-1081P-060765.pdf.*	October 18, 2013	060765
Sacramento	Unincorporated areas of Sacramento County (13–09–1081P).	The Honorable Susan Peters ,Chair, Sacramento County Board of Supervisors, 700 H Street, Suite 2450, Sacramento, CA 95814.	Municipal Services Agency, Department of Water Resources, 827 7th Street, Suite 301 Sacramento, CA 95814.	*http://www.r9map.org/Docs/13-09-1081P-060262.pdf.*	October 18, 2013	060262
Sacramento	Unincorporated areas of Sacramento County (13–09–1460P).	The Honorable Susan Peters, Chair, Sacramento County Board of Supervisors, 700 H Street, Suite 2450, Sacramento, CA 95814.	Municipal Services Agency, Department of Water Resources, 827 7th Street, Suite 301, Sacramento, CA 95814.	*http://www.r9map.org/Docs/13-09-1460P-060262.pdf.*	October 18, 2013	060262

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of Letter of Map Revision	Effective date of modification	Community No.
San Bernardino.	City of Ontario (13–09–0673P).	The Honorable Paul S. Leon, Mayor, City of Ontario, 303 East B Street, Ontario, CA 91764.	City Hall Engineering Department Public Counter, 303 East B Street, Ontario, CA 91764.	*http://www.r9map.org/Docs/13-09-0673P-060278-102DA.pdf.*	September 20, 2013.	060278
San Diego	City of Vista (13–09–0759P).	The Honorable Judy Ritter, Mayor, City of Vista, 200 Civic Center Drive, Vista, CA 92084.	City Hall, 200 Civic Center Drive, Vista, CA 92084.	*http://www.r9map.org/Docs/13-09-0759P-060297-102IAC.pdf.*	October 7, 2013	060297
San Diego	Unincorporated areas of San Diego County (13–09–0628P).	The Honorable Greg Cox, Chairman, San Diego County Board of Supervisors, 1600 Pacific Highway, Room 335, San Diego, CA 92101.	San Diego County Department of Public Works, Flood Control Department, 5201 Ruffin Road, Suite P, San Diego, CA 92123.	*http://www.r9map.org/Docs/13-09-0628P-060284.pdf.*	October 18, 2013	060284
Santa Clara	City of San Jose (13–09–1387P).	The Honorable Chuck Reed, Mayor, City of San Jose, 200 East Santa Clara Street, San Jose, CA 95113.	Department of Public Works, 200 East Santa Clara Street, San Jose, CA 95113.	*http://www.r9map.org/Docs/13-09-1387P-060349-102DA.pdf.*	September 30, 2013.	060349
Colorado:						
Arapahoe	City of Aurora (13–08–0148P).	The Honorable Steve Hogan, Mayor, City of Aurora, 15151 East Alameda Parkway, Aurora, CO 80012.	Engineering Department, 15151 East Alameda Parkway, Aurora, CO 80012.	*http://www.bakeraecom.com/index.php/colorado/arapahoe/.*	October 11, 2013	080002
Eagle	Unincorporated areas of Eagle County (12–08–0871P).	The Honorable John Stavney, Chairman, Eagle County Board of Commissioners, P.O. Box 850, Eagle, CO 81631.	Eagle County Engineering Department, 500 Broadway Street, Eagle, CO 81631.	*http://www.bakeraecom.com/index.php/colorado/eagle/.*	October 25, 2013	080051
Larimer	Unincorporated areas of Larimer County (12–08–0883P).	The Honorable Steve Johnson, Chairman, Larimer County Board of Commissioners, P.O. Box 1190, Fort Collins, CO 80522.	Larimer County Engineering Department, 200 West Oak Street, Fort Collins, CO 80521.	*http://www.bakeraecom.com/index.php/colorado/larimer/.*	September 30, 2013.	080101
Mesa	City of Grand Junction (13–08–0266P).	The Honorable Sam Susuras, Mayor, City of Grand Junction 250 North 5th Street, Grand Junction, CO 81501.	City Hall, 250 North 5th Street, Grand Junction, CO 81501.	*http://www.bakeraecom.com/index.php/colorado/mesa/.*	October 14, 2013	080117
Mesa	Unincorporated areas of Mesa County (13–08–0266P).	The Honorable Steven Acquafresca, Chairman, Mesa County Board of Commissioners, P.O. Box 20000 Grand Junction, CO 81502.	Mesa County Public Works Department, 200 South Spruce Street, Grand Junction, CO 81501.	*http://www.bakeraecom.com/index.php/colorado/mesa/.*	October 14, 2013	080115
Florida:						
Charlotte	Unincorporated areas of Charlotte County (13–04–3688P).	The Honorable Christopher Constance, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Port Charlotte, FL 33948.	Charlotte County Community Development Department, 18500 Murdock Circle, Port Charlotte, FL 33948.	*http://www.bakeraecom.com/index.php/florida/charlotte/.*	October 11, 2013	120061
Duval	City of Jacksonville (13–04–3478P).	The Honorable Alvin Brown, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Development Services Division, 117 West Duval Street, Jacksonville, FL 32202.	*http://www.bakeraecom.com/index.php/florida/duval/.*	October 25, 2013	120077
Escambia	Pensacola Beach-Santa Rosa Island Authority (13–04–2463P).	The Honorable Thomas A. Campanella, DDS, Chairman, Pensacola Beach-Santa Rosa Island Authority Board of Commissioners, P.O. Box 1208, Pensacola Beach, FL 32562.	Pensacola Beach-Santa Rosa Island Authority Development Department, 1 Via De Luna, Pensacola Beach, FL 32561.	*http://www.bakeraecom.com/index.php/florida/escambia-2/.*	October 11, 2013	125138
Escambia	Unincorporated areas of Escambia County (13–04–3129P).	The Honorable Gene M. Valentino, Chairman, Escambia County Board of Commissioners, 221 Palafox Place, Suite 400, Pensacola, FL 32502.	Escambia County Development Services Department, 3363 West Park Place, Pensacola, FL 32505.	*http://www.bakeraecom.com/index.php/florida/escambia-2/.*	September 30, 2013.	120080

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of Letter of Map Revision	Effective date of modification	Community No.
Lake	Unincorporated areas of Lake County (13–04–3459P).	The Honorable Leslie Shamrock Campione, Chair, Lake County Board of Commissioners, P.O. Box 7800, Tavares, FL 32778.	Lake County Public Works Department, 437 Ardice Avenue, Eustis, FL 32726.	*http://www.bakeraecom.com/index.php/florida/lake/.*	October 28, 2013	120421
Lee	Unincorporated areas of Lee County (13–04–3479P).	The Honorable Cecil L. Pendergrass, Chairman, Lee County Board of Commissioners, P.O. Box 398, Fort Myers, FL 33902.	Lee County Community Development Department, 1500 Monroe Street, 2nd Floor, Fort Myers, FL 33901.	*http://www.bakeraecom.com/index.php/florida/lee-5/.*	October 3, 2013	125124
Pinellas	City of Clearwater (13–04–2561P).	The Honorable George N. Cretekos, Mayor, City of Clearwater, 112 South Osceola Avenue, Clearwater, FL 33756.	City Audit Department, 100 South Myrtle Avenue, Suite 220, Clearwater, FL 33756.	*http://www.bakeraecom.com/index.php/florida/pinellas/.*	October 4, 2013	125096
Georgia: Columbia	Unincorporated areas of Columbia County (13–04–3711P).	The Honorable Ron C. Cross, Chairman, Columbia County Board of Commissioners, P.O. Box 498, Evans, GA 30809.	Columbia County Development Services Division, 630 Ronald Reagan Drive, Building A, Evans, GA 30809.	*http://www.bakeraecom.com/index.php/georgia/columbia-2/.*	September 19, 2013.	130059
Nevada: Clark	City of Henderson (13–09–0920P).	The Honorable Andy Hafen, Mayor, City of Henderson, 240 Water Street, Henderson, NV 89015.	Public Works Department, 240 Water Street, Henderson, NV 89015.	*http://www.r9map.org/Docs/13-09-0920P-320005-102IC.pdf.*	October 4, 2013	320005
North Carolina:						
Rowan	Town of Granite Quarry (12–04–5555P).	The Honorable Mary S. Ponds, Mayor, Town of Granite Quarry, 143 North Salisbury Avenue Granite Quarry, NC 28072.	Town Hall, 143 North Salisbury Avenue, Granite Quarry, NC 28072.	*http://www.ncfloodmaps.com/fhd.htm.*	October 17, 2013	370212
Union	Town of Waxhaw (13–04–3703P).	The Honorable Duane Gardner, Mayor, Town of Waxhaw, 317 North Broome Street, Waxhaw, NC 28173.	Town Hall, 317 North Broome Street, Waxhaw, NC 28173.	*http://www.ncfloodmaps.com/fhd.htm.*	October 10, 2013	370473
Union	Unincorporated areas of Union County (12–04–5106P).	The Honorable Jerry Simpson, Chairman, Union County Board of Commissioners, 500 North Main Street, Monroe, NC 28112.	Union County Planning Department, 407 North Main Street, Room 149, Monroe, NC 28112.	*http://www.ncfloodmaps.com/fhd.htm.*	October 17, 2013	370234
Union	Unincorporated areas of Union County (13–04–3703P).	The Honorable Jerry Simpson, Chairman, Union County Board of Commissioners, 500 North Main Street, Monroe, NC 28112.	Union County Planning Department, 407 North Main Street, Room 149, Monroe, NC 28112.	*http://www.ncfloodmaps.com/fhd.htm.*	October 10, 2013	370234
Utah: Utah	City of Lindon (13–08–0544P).	The Honorable Jim Dain, Mayor, City of Lindon 100 North State Street, Lindon, UT 84042.	Council Chambers Office, 100 North State Street, Lindon, UT 84042.	*http://www.bakeraecom.com/index.php/utah/utah-2/.*	October 25, 2013	490210

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: August 12, 2013.

Roy Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2013–20798 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0002; Internal Agency Docket No. FEMA–B–1346]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with FEMA regulations. The LOMR will be used by insurance agents

and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Associate Administrator for Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below.

Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
California: Orange	City of Anaheim (13–09–0961P).	The Honorable Tom Tait, Mayor, City of Anaheim, 200 South Anaheim Boulevard, Anaheim, CA 92805.	City Hall, 200 South Anaheim Boulevard, Anaheim, CA 92805.	*http://www.r9map.org/Docs/13-09-0961P-060213.pdf.*	November 1, 2013.	060213
Connecticut:						
Litchfield	Town of New Milford (13–01–1227P).	The Honorable Pat Murphy, Mayor, Town of New Milford, 10 Main Street, New Milford, CT 06776.	Town Hall, 10 Main Street, New Milford, CT 06776.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	September 11, 2013.	090049
Fairfield	Town of Stratford (12–01–2581P).	The Honorable John A. Harkins, Mayor, Town of Stratford, 2725 Main Street, Stratford, CT 06615.	Town Hall, 2725 Main Street, Stratford, CT 06615.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	August 30, 2013	090016
Idaho:						
Custer	City of Stanley (13–10–0553P).	The Honorable Herbert Mumford, Mayor, City of Stanley, Post Office Box 53, Stanley, ID 83278.	Town Hall, Post Office Box 53, Stanley, ID 83278.	*http://www.starr-team.com/starr/LOMR/Pages/RegionX.aspx.*	August 23, 2013	160054
Custer	Unincorporated Areas of Custer County, (13–10–0553P).	The Honorable Wayne Butts, Chairman, Custer County Commissioners, 801 East Main Street, Challis, ID 83226.	Custer County, Courthouse, 801 East Main Street, Challis, ID 83226.	*http://www.starr-team.com/starr/LOMR/Pages/RegionX.aspx.*	August 23, 2013	160211
Illinois:						
Will	Village of Romeoville, (12–05–3283P).	The Honorable John Noak, Mayor, Village of Romeoville, 1050 West Romeo Road, Romeoville, IL 60446.	Village Hall, 1050 West Romeo Road, Romeoville, IL 60446.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 27, 2013.	170711

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Cook	Village of Schaumburg (13–05–1146P).	The Honorable Al Larson, President, Village of Schaumburg, 101 Schaumburg Court, Schaumburg, IL 60193.	Robert O. Atcher, Municipal Building, Department of Engineering, 101 Schaumburg Court, Schaumburg, IL 60193.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	October 14, 2013	170158
Peoria	City of Peoria (12–05–6386P).	The Honorable Jim Ardis, Mayor, City of Peoria, 419 Fulton Street, Room 207, Peoria, IL 61602.	Public Works Department, 3505 North Dries Lane, Peoria, IL 61604.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	October 22, 2013	170536
Cook	City of Palos Heights (13–05–2883P).	The Honorable Robert Straz, Mayor, City of Palos Heights, 7607 West College Drive, Palos Heights, IL 60463.	City Hall, 7607 West College Drive, Palos Heights, IL 60463.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 6, 2013.	170142
Peoria	City of Peoria (13–05–1142P).	The Honorable Jim Ardis, Mayor, City of Peoria, 419 Fulton Street, Room 207, Peoria, IL 61602.	Public Works Department, 3505 North Dries Lane, Peoria, IL 61604.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 11, 2013.	170536
Peoria	City of Peoria (12–05–6068P).	The Honorable Jim Ardis, Mayor, City of Peoria, 419 Fulton Street, Room 207, Peoria, IL 61602.	Public Works Department, 3505 North Dries Lane, Peoria, IL 61604.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 11, 2013.	170536
Cook	Village of Matteson (13–05–3224P).	The Honorable Andre B. Ashmore, President, Village of Matteson, 4900 Village Commons, Matteson, IL 60443.	Village Hall, 4900 Village Commons, Matteson, IL 60443.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 6, 2013.	170123
Cook	Unincorporated Areas of Cook County (13–05–3224P).	The Honorable Toni Preckwinkle, President, Cook County Board of Commisioners, 118 North Clark Street, Room 537, Chicago, IL 60602.	Cook County Building and Zoning Department, 69 West Washington, Suite 2830, Chicago, IL 60602.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 6, 2013.	170054
Cook	Village of Olympia Fields (13–05–3224P).	The Honorable Debbie Meyers-Martin, President, Village of Olympia Fields, 20701 Governors Highway, Olympia Fields, IL 60461.	Village Hall, 20040 Governors Highway, Olympia Fields, IL 60461.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 6, 2013.	170139
Indiana: Hamilton	City of Westfield (12–05–9297P).	The Honorable Andy Cook, Mayor, City of Westfield, 130 Penn Street, Westfield, IN 46014.	City Hall, 130 Penn Street, Westfield, IN 46014.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	August 23, 2013	180083
Kansas:						
Johnson	City of Overland Park (13–07–0377P).	The Honorable Carl Gerlach, Mayor, City of Overland Park, 8500 Santa Fe Drive, Overland Park, KS 66212.	City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212.	*http://www.starr-team.com/starr/LOMR/Pages/RegionVII.aspx.*	August 23, 2013	200174
Johnson	City of Overland Park (12–07–3263P).	The Honorable Carl Gerlach, Mayor, City of Overland Park, 8500 Santa Fe Drive, Overland Park, KS 66212.	City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212.	*http://www.starr-team.com/starr/LOMR/Pages/RegionVII.aspx.*	August 30, 2013	200174
Massachusetts:						
Worcester	Town of Northborough (13–01–0608P).	The Honorable Leslie Ruton, Chair, Board of Selectmen, Town of Northborough, 63 Main Street, Northborough, MA 01532.	Town Hall, 63 Main Street, Northborough, MA 01532.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	October 4, 2013	250321
Norfolk	Town of Braintree (13–01–1797P).	The Honorable Joseph C. Sullivan, Mayor, Town of Braintree, 1 John F. Kennedy Memorial Drive, Braintree, MA 02184.	Town Hall, 1 John F. Kennedy Memorial Drive, Braintree, MA 02184.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	November 15, 2013.	250233
Maine: York	City of Biddeford (13–01–0424P).	The Honorable Alan Casavant, Mayor, City of Biddeford, 205 Main Street, Biddeford, ME 04005.	City Hall, 205 Main Street, Biddeford, ME 04005.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	September 17, 2013.	230145
Michigan:						

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Barry	Township of Yankee Springs (13–05–1644P).	The Honorable Mark Englerth, Supervisor, Township of Yankee Springs, 284 North Briggs Road, Middleville, MI 49333.	Yankee Springs Township Hall, 284 North Briggs Road, Middleville, MI 49333.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 16, 2013.	260883
Washtenaw	City of Ann Arbor (13–05–4220P).	The Honorable John Hieftje, Mayor, City of Ann Arbor, 100 North 5th Avenue, Ann Arbor, MI 48104.	City Hall, 301 East Huron Street, 3rd Floor, Ann Arbor, MI 48107.	http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.	October 25, 2013	260213
Minnesota:						
Stearns	Unincorporated Areas of Stearns County (13–05–1353P).	The Honorable Jeff Mergen, Chair, Stearns County Commissioners, 21808 Fellows Road, Richmond, MN 56368.	Steams County, Administration Center, 705 Courthouse Square, St. Cloud, MN 56303.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	October 4, 2013	270546
Clay	Unincorporated Areas of Clay County (13–05–4543P).	The Honorable Grant Weyland, Chair, Clay County Board of Commissioners, 807 North 11th Street, Moorhead, MN 56560.	Clay County Courthouse, Planning and Zoning Department, 807 North 11th Street, Moorhead, MN 56560.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	November 12, 2013.	275235
Missouri:						
Franklin	City of Washington (13–07–1025P).	The Honorable Sandy Lucy, Mayor, City of Washington, 405 Jefferson Street, Washington, MO 63090.	City Hall, 405 Jefferson Street, Washington, MO 63090.	*http://www.starr-team.com/starr/LOMR/Pages/RegionVII.aspx.*	September 12, 2013.	290138
Franklin	City of Washington (12–07–3298P).	The Honorable Sandy Lucy, Mayor, City of Washington, 405 Jefferson Street, Washington, MO 63090.	City Hall, 405 Jefferson Street, Washington, MO 63090.	*http://www.starr-team.com/starr/LOMR/Pages/RegionVII.aspx.*	August 29, 2013	290138
Franklin	City of Washington (12–07–3320P).	The Honorable Sandy Lucy, Mayor, City of Washington, 405 Jefferson Street, Washington, MO 63090.	City Hall, 405 Jefferson Street, Washington, MO 63090.	*http://www.starr-team.com/starr/LOMR/Pages/RegionVII.aspx.*	August 26, 2013	290138
Nebraska: Madison	City of Norfolk (12–07–3110P).	The Honorable Sue Fuchtman, Mayor, City of Norfolk, 309 North 5th Street, Norfolk, NE 68701.	Planning and Zoning Department, 701 Koenigstein Avenue, Norfolk, NE 68701.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	August 29, 2013	310147
Pennsylvania: Lebanon.	Township of Jackson (13–03–0866P).	The Honorable Dean O. Moyer, Vice Chairman, Jackson Township Board of Supervisors, 217 West Jackson Avenue, Myerstown, PA 17067.	Jackson Township Municipal Building, 60 North Ramona Road, Myerstown, PA 17067.	*https://www.rampp-team.com/lomrs.htm.*	November 14, 2013.	421805
Ohio:						
Hamilton	City of Cincinnati (13–05–0281P).	The Honorable Mark Mallory, Mayor, City of Cincinnati, 801 Plum Street, Suite 150, Cincinnati, OH 45202.	City Hall, 801 Plum Street, Cincinnati, OH 45202.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 20, 2013.	390210
Hamilton	Unincorporated Areas of Hamilton County (13–05–0281P).	The Honorable Greg Hartmann, President, Hamilton County Board of Commissioners, 138 East Court Street, Room 603, Cincinnati, OH 45202.	Hamilton County Administration Building, Department of Public Works, 138 East Court Street, Room 800, Cincinnati, OH 45202.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	September 20, 2013.	390204
Cuyahoga	City of Highland Heights (13–05–0770P).	The Honorable Scott Coleman, Mayor, City of Highland Heights, 5827 Highland Road, Highland Heights, OH 44143.	City Hall, 5827 Highland Road, Highland Heights, OH 44143.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	October 4, 2013	390110
Franklin	City of Westerville (13–05–3808P).	The Honorable Kathy Cocuzzi, Mayor, City of Westerville, 21 South Street, Westerville, OH 43081.	Planning and Zoning Department, 64 East Walnut Street, Westerville, OH 43081.	*http://www.starr-team.com/starr/LOMR/pages/RegionV.aspx.*	October 25, 2013	390179
Summit	City of Hudson (12–05–9936P).	The Honorable William A. Currin, Mayor, City of Hudson, 115 Executive Parkway, Suite 400, Hudson, OH 44236.	City Hall, 115 Executive Parkway, Suite 400, Hudson, OH 44236.	*http://www.starr-team.com/starr/LOMR/pages/RegionV.aspx.*	October 31, 2013	390660

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Summit	Village of Boston Heights (12–05–9936P).	The Honorable William Goncy, Mayor, Village of Boston Heights, 45 East Boston Mills Road, Hudson, OH, 44236.	Village Hall, 45 East Boston Mills Road, Hudson, OH 44236.	*http://www.starr-team.com/starr/LOMR/pages/RegionV.aspx.*	October 31, 2013	390749
Summit	City of Hudson (12–05–9938P).	The Honorable William A. Currin, Mayor, City of Hudson, 115 Executive Parkway, Suite 400, Hudson, OH 44236.	City Hall, 115 Executive Parkway Suite 400, Hudson, OH 44236.	*http://www.starr-team.com/starr/LOMR/pages/RegionV.aspx.*	November 4, 2013.	390660
Oregon:						
Jackson	Unincorporated Areas of Jackson County (13–10–0532P).	The Honorable Don Skundrick, Chair, Jackson County Board of Commissioners, 10 South Oakdale Avenue, Room 214, Medford, OR 97501.	Jackson County Courthouse, Roads, Parks and Planning, 10 South Oakdale Avenue, Medford, OR 97501.	*http://www.starr-team.com/starr/LOMR/Pages/RegionX.aspx.*	October 30, 2013	415589
Umatilla	City of Milton-Freewater (12–10–1210P).	The Honorable Lewis Key, Mayor, City of Milton-Freewater, 722 South Main Street, Milton-Freewater, OR 97862.	City Hall, Planning Department, 722 South Main Street, Milton-Freewater, OR 97862.	*http://www.starr-team.com/starr/LOMR/Pages/RegionX.aspx.*	September 20, 2013.	410210
Umatilla	Unincorporated Areas of Umatilla County (12–10–1210P).	The Honorable Larry Givens, Chairman, Umatilla County Board of Commissioners, 216 Southeast 4th Street, Pendleton, OR 97801.	Umatilla County Courthouse, Planning Department, 216 Southeast 4th Street, Pendleton, OR 97801.	*http://www.starr-team.com/starr/LOMR/Pages/RegionX.aspx.*	September 20, 2013.	410204
Marion	City of Salem (13–10–0791P).	The Honorable Anna M. Peterson, Mayor, City of Salem, 555 Liberty Street Southeast, Room 220, Salem, OR 97301.	City Hall, Public Works Department, 555 Liberty Street Southeast, Room 325, Salem, OR 97301.	*http://www.starr-team.com/starr/LOMR/Pages/RegionX.aspx.*	November 15, 2013.	410167
Rhode Island:						
Providence	City of Providence (12–01–1131P).	The Honorable Angel Taveras, Mayor, City of Providence, 25 Dorrance Street, Providence, RI 02903.	City Hall, 25 Dorrance Street, Providence, RI 02903.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	September 27, 2013.	445406
Providence	Town of Johnston (12–01–1131P).	The Honorable Joseph M. Polisena, Mayor, Town of Johnston, 1385 Hartford Avenue, Johnston, RI 02919.	Town Hall, Department of Building Operations, 1385 Hartford Avenue, Johnston, RI 02919.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	September 27, 2013.	440018
Providence	City of Cranston (12–01–1131P).	The Honorable Allan W. Fung, 869 Park Avenue, Cranston, RI 02910.	City Hall, 869 Park Avenue, Cranston, RI 02910.	*http://www.starr-team.com/starr/LOMR/Pages/RegionI.aspx.*	September 27, 2013.	445396
Wisconsin:						
Brown	Unincorporated Areas of Brown County (13–05–1356P).	The Honorable Patrick Moynihan, Jr., Chair, Brown County Board of Commissioners, 305 East Walnut Street, Green Bay, WI 54305.	Brown County Courthouse Zoning Office, 305 East Walnut Street, Green Bay, WI 54305.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	October 7, 2013	550020
Ozaukee	Village of Thiensville (12–05–9757P).	The Honorable Van Mobley, President, Village of Thiensville, 250 Elm Street, Thiensville, WI 53092.	Village Hall, 250 Elm Street, Thiensville, WI 53092.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	October 18, 2013	550318
Outagamie	City of Appleton (12–05–6032P).	The Honorable Timothy Hanna, Mayor, City of Appleton, 100 North Appleton Street, Appleton, WI 54911.	City Hall, 100 North Appleton Street, Appleton, WI 54911.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	August 23, 2013	555542
Outagamie	Unincorporated Areas of Outagamie County (12–05–6032P).	The Honorable Thomas M. Nelson, County Executive, Outagamie County, 410 South Walnut Street, Appleton, WI 54911.	Outagamie County Building, 410 South Walnut Street, Appleton, WI 54911.	*http://www.starr-team.com/starr/LOMR/Pages/RegionV.aspx.*	August 23, 2013	550302

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: August 12, 2013.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2013–20791 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final notice.

SUMMARY: New or modified Base (1% annual-chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or the regulatory floodway (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: The effective date for each LOMR is indicated in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at *www.msc.fema.gov.*

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard determinations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

These new or modified flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

These new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at *www.msc.fema.gov.*

State and county	Location and case No.	Chief executive officer of community	Community map repository	Effective date of modification	Community No.
Alabama:					
Baldwin (FEMA Docket No.: B–1314).	City of Gulf Shores (12–04–4631P).	The Honorable Robert S. Craft, Mayor, City of Gulf Shores, P.O. Box 299, Gulf Shores, AL 36547.	Community Development Department, 1905 West 1st Street, Gulf Shores, AL 36547.	June 17, 2013	015005
Houston (FEMA Docket No.: B–1320).	City of Dothan (13–04–1756P).	The Honorable Mike Schmitz, Mayor, City of Dothan, P.O. Box 2128, Dothan, AL 36302.	Engineering Department, 126 North St. Andrews Street, Dothan, AL 36303.	July 8, 2013	010104
Arizona:					
Maricopa (FEMA Docket No.: B–1314).	City of Phoenix (12–09–2591P).	The Honorable Greg Stanton, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, AZ 85003.	Street Transportation Department, 200 West Washington Street, 5th Floor, Phoenix, AZ 85003.	June 14, 2013	040051
Yuma (FEMA Docket No.: B–1314).	Unincorporated areas of Yuma County (13–09–0814P).	The Honorable Gregory S. Ferguson, Chairman, Yuma County Board of Supervisors, 198 South Main Street, Yuma, AZ 85364.	Yuma County Department of Development Services, 2351 West 26th Street, Yuma, AZ 85364.	June 14, 2013	040099
California:					
Sacramento (FEMA Docket No.: B–1314).	City of Elk Grove (12–09–0565P).	The Honorable Gary Davis, Mayor, City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758.	Department of Public Works, 8401 Laguna Palms Way, Elk Grove, CA 95758.	June 21, 2013	060767
Sacramento (FEMA Docket No.: B–1320).	City of Elk Grove (13–09–0772P).	The Honorable Gary Davis, Mayor, City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758.	Department of Public Works, 8401 Laguna Palms Way, Elk Grove, CA 95758.	July 8, 2013	060767

State and county	Location and case No.	Chief executive officer of community	Community map repository	Effective date of modification	Community No.
San Joaquin (FEMA Docket No.: B–1314).	Unincorporated areas of San Joaquin County (12–09–2566P).	The Honorable Ken Vogel, Chairman, San Joaquin County Board of Supervisors, 44 North San Joaquin Street, 6th Floor, Stockton, CA 95202.	San Joaquin County Public Works Department, 1810 East Hazelton Avenue, Stockton, CA 95205.	June 28, 2013	060299
Colorado:					
Adams (FEMA Docket No.: B–1308).	City of Commerce City (13–08–0283P).	The Honorable Sean Ford, Sr., Mayor, City of Commerce City, 7887 East 60th Avenue, Commerce City, CO 80022.	Municipal Services Center, 8602 Rosemary Street, Commerce City, CO 80022.	June 5, 2013	080006
Adams (FEMA Docket No.: B–1308).	Unincorporated areas of Adams County (13–08–0283P).	The Honorable Eva J. Henry, Chair, Adams County Board of Commissioners, 4430 South Adams County Parkway, Suite C5000A, Brighton, CO 80601.	Adams County Public Works Department, 4430 South Adams County Parkway, Suite W2123, Brighton, CO 80601.	June 5, 2013	080001
Arapahoe (FEMA Docket No.: B–1320).	City of Centennial (13–08–0282P).	The Honorable Cathy Noon, Mayor, City of Centennial, 13133 East Arapahoe Road, Centennial, CO 80112.	Southeast Metro Stormwater Authority, 76 Inverness Drive East, Suite A, Englewood, CO 80112.	June 28, 2013	080315
Boulder (FEMA Docket No.: B–1314).	City of Boulder (12–08–0778P).	The Honorable Matthew Appelbaum, Mayor, City of Boulder, P.O. Box 791, Boulder, CO 80306.	Municipal Building Plaza, 1777 Broadway Street, Boulder, CO 80302.	June 17, 2013	080024
Jefferson (FEMA Docket No.: B–1314).	Unincorporated areas of Jefferson County (12–08–0863P).	The Honorable Donald Rosier, Chairman, Jefferson County Board of Commissioners, 100 Jefferson County Parkway, Golden, CO 80419.	Jefferson County Department of Planning and Zoning, 100 Jefferson County Parkway, Golden, CO 80419.	June 28, 2013	080087
Routt (FEMA Docket No.: B–1320).	City of Steamboat Springs (13–08–0214P).	The Honorable Deb Hinsvark, Manager, City of Steamboat Springs, P.O. Box 775088, Steamboat Springs, CO 80477.	Centennial Hall, 124 10th Street, Steamboat Springs, CO 80477.	July 8, 2013	080159
Florida:					
Collier (FEMA Docket No.: B–1314).	City of Naples (12–04–7151P).	The Honorable John F. Sorey, III, Mayor, City of Naples, 735 8th Street South, Naples, FL 34102.	City Hall, 735 8th Street South, Naples, FL 34102.	June 17, 2013	125130
Collier (FEMA Docket No.: B–1320).	City of Naples (13–04–1286P).	The Honorable John F. Sorey, III, Mayor, City of Naples, 735 8th Street South, Naples, FL 34102.	City Hall, 735 8th Street South, Naples, FL 34102.	June 24, 2013	125130
Duval (FEMA Docket No.: B–1320).	City of Jacksonville (12–04–6121P).	The Honorable Alvin Brown, Mayor, City of Jacksonville, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	Development Services Division, 214 North Hogan Street, Suite 2100, Jacksonville, FL 32202.	July 8, 2013	120077
Escambia (FEMA Docket No.: B–1314).	Unincorporated areas of Escambia County (12–04–8486P).	The Honorable Gene M. Valentino, Chairman, Escambia County Board of Commissioners, 221 Palafox Place, Suite 400, Pensacola, FL 32502.	Escambia County Department of Planning and Zoning, 1190 West Leonard Street, Pensacola, FL 32501.	June 21, 2013	120080
Miami-Dade (FEMA Docket No.: B–1320).	City of Sunny Isles Beach (12–04–8176P).	The Honorable Norman S. Edelcup, Mayor, City of Sunny Isles Beach, 18070 Collins Avenue, Suite 250, Sunny Isles Beach, FL 33160.	Sunny Isles Beach Government Center, 18070 Collins Avenue, Sunny Isles Beach, FL 33160.	June 28, 2013	120688
Orange (FEMA Docket No.: B–1320).	City of Orlando (12–04–7200P).	The Honorable Buddy Dyer, Mayor, City of Orlando, P.O. Box 4990, Orlando, FL 32808.	Permitting Services Department, 400 South Orange Avenue, Orlando, FL 32801.	July 5, 2013	120186
Orange (FEMA Docket No.: B–1320).	Unincorporated areas of Orange County (12–04–7200P).	The Honorable Teresa Jacobs, Mayor, Orange County, 201 South Rosalind Avenue, 5th Floor, Orlando, FL 32801.	Orange County Stormwater Management Division, 4200 South John Young Parkway, Orlando, FL 32839.	July 5, 2013	120179
Hawaii: Maui (FEMA Docket No.: B–1320).	Unincorporated areas of Maui County (12–09–2563P).	The Honorable Alan M. Arakawa, Mayor, Maui County, 200 South High Street, 9th Floor, Wailuku, HI 96793.	Maui County Planning Department, 250 South High Street, 2nd Floor, Wailuku, HI 96793.	July 8, 2013	150003
Kentucky:					
Hardin (FEMA Docket No.: B–1320).	City of Elizabethtown (12–04–3244P).	The Honorable Tim C. Walker, Mayor, City of Elizabethtown, P.O. Box 550, Elizabethtown, KY 42701.	City Hall, 200 West Dixie Avenue, 2nd Floor, Elizabethtown, KY 42701.	June 7, 2013	210095
Hardin (FEMA Docket No.: B–1320).	Unincorporated areas of Hardin County (12–04–3244P).	The Honorable Judge Harry L. Berry, Hardin County Judge/Executive, P.O. Box 568, Elizabethtown, KY 42701.	R. R. Thomas Building, 14 Public Square, Room 206, Elizabethtown, KY 42701.	June 7, 2013	210094
North Carolina: Union (FEMA Docket No.: B–1314).	Unincorporated areas of Union County (12–04–5213P).	The Honorable Cynthia Coto, Union County Manager, 500 North Main Street, Room 918, Monroe, NC 28112.	Union County Planning Department, 407 North Main Street, Room 149, Monroe, NC 28112.	June 12, 2013	370234
South Carolina:					
Charleston (FEMA Docket No.: B–1314).	City of North Charleston (13–04–1047P).	The Honorable R. Keith Summey, Mayor, City of North Charleston, P.O. Box 190016, North Charleston, SC 29419.	Building Inspections Department, 2500 City Hall Lane, North Charleston, SC 29406.	June 14, 2013	450042

State and county	Location and case No.	Chief executive officer of community	Community map repository	Effective date of modification	Community No.
Greenwood (FEMA Docket No.: B–1314).	Unincorporated areas of Greenwood County (12–04–3813P).	The Honorable Mark Allison, Chairman, Greenwood County Council, 600 Monument Street, Suite 102, Greenwood, SC 29646.	Greenwood County Courthouse, 600 Monument Street, Greenwood, SC 29646.	June 28, 2013	450094
Horry (FEMA Docket No.: B–1314).	City of Myrtle Beach (13–04–1594P).	The Honorable John T. Rhodes, Mayor, City of Myrtle Beach, P.O. Box 2468, Myrtle Beach, SC 29578.	City Services Building, Construction Services Department, 921 Oak Street, Myrtle Beach, SC 29577.	June 21, 2013	450109
Utah:					
Salt Lake (FEMA Docket No.: B–1320).	City of Cottonwood Heights (12–08–0817P).	The Honorable Kelvyn Cullimore, Jr., Mayor, City of Cottonwood Heights, 1265 East Fort Union Boulevard, Cottonwood Heights, UT 84047.	City Hall, 1265 East Fort Union Boulevard, Cottonwood Heights, UT 84047.	July 8, 2013	490028
Salt Lake (FEMA Docket No.: B–1320).	City of Midvale (12–08–0817P).	The Honorable JoAnn B. Seghini, Mayor, City of Midvale, 655 West Center Street, Midvale, UT 84047.	Engineering Department, 655 West Center Street, Midvale, UT 84047.	July 8, 2013	490211
Summit (FEMA Docket No.: B–1314).	City of Park City (12–08–1031P).	The Honorable Dana Williams, Mayor, City of Park City, P.O. Box 1480, Park City, UT 84060.	City Hall, 445 Marsac Avenue, Park City, UT 84060.	June 13, 2013	490139
Wyoming:					
Washakie (FEMA Docket No.: B–1320).	City of Worland (12–08–0535P).	The Honorable Dave Duffy, Mayor, City of Worland, P.O. Box 226, Worland, WY 82401.	Building and Zoning Department, 829 Big Horn Avenue, Worland, WY 82401.	July 1, 2013	560056
Washakie (FEMA Docket No.: B–1320).	Unincorporated areas of Washakie County (12–08–0535P).	The Honorable Aaron Anderson, Chairman, Washakie County Board of Commissioners, P.O. Box 260, Worland, WY 82401.	Washakie County Emergency Management Agency, 1001 Big Horn Avenue, Worland, WY 82401.	July 1, 2013	560089

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: August 12, 2013.

Roy Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2013–20827 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report are used by insurance agents and others to calculate appropriate flood insurance premium rates for buildings and the contents of those buildings.

DATES: The effective date of January 16, 2014 which has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at *www.msc.fema.gov* by the effective date indicated above.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis. Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Adminstrator for Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at *www.msc.fema.gov.*

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

Community	Community map repository address
Franklin County, Indiana, and Incorporated Areas Docket No.: FEMA–B–1272	
Town of Brookville	Franklin County Government Center, Area Planning Office, 1010 Franklin Avenue, Brookville, IN 47012.
Town of Cedar Grove	Franklin County Government Center, Area Planning Office, 1010 Franklin Avenue, Brookville, IN 47012.
Unincorporated Areas of Franklin County	Franklin County Government Center, Area Planning Office, 1010 Franklin Avenue, Brookville, IN 47012.
Miami County, Kansas, and Incorporated Areas Docket No.: FEMA–B–1270	
City of Fontana	City Hall, 204 East North Street, Fontana, KS 66026.
City of Louisburg	City Hall, 5 South Peoria Street, Suite 105, Louisburg, KS 66053.
City of Osawatomie	City Hall, 439 Main Street, Osawatomie, KS 66064.
City of Paola	City Hall, 19East Peoria Street, Paola, KS 66071.
Unincorporated Areas of Miami County	Miami County Administration Building, 201 South Pearl Street, Suite 201, Paola, KS 66071.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: August 12, 2013.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2013–20795 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report are used by insurance agents and others to calculate appropriate flood insurance premium rates for buildings and the contents of those buildings.

DATES: The effective date of August 19, 2013 which has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at *www.msc.fema.gov* by the effective date indicated above.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Adminstrator for Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at *www.msc.fema.gov*.

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

Community	Community map repository address
Cedar County, Iowa, and Incorporated Areas Docket No.: FEMA–B–1243	
City of Bennett	City Hall, 201 Main Street, Bennett, IA 52721.
City of Durant	City Hall, 402 6th Street, Durant, IA 52747.
City of Lowden	City Hall, 501 Main Street, Lowden, IA 52255.
City of Mechanicsville	City Hall, 100 East 1st Street, Mechanicsville, IA 52306.
City of Stanwood	City Hall, 209 East Broadway Street, Stanwood, IA 52337.

Community	Community map repository address
City of Tipton	City Hall, 407 Lynn Street, Tipton, IA 52772.
City of West Branch	City Offices, 110 North Poplar Street, West Branch, IA 52358.
Unincorporated Areas of Cedar County	Cedar County Courthouse, 400 Cedar Street, Tipton, IA 52772.
City of Dubuque, Iowa Docket No.: FEMA–B–1259	
City of Dubuque	City Hall, 50 West 13th Street, Dubuque, IA 52001.
Medina County, Ohio, and Incorporated Areas Docket No.: FEMA–B–1250	
City of Brunswick	City Engineer's Office, 4095 Center Road, Brunswick, OH 44212.
City of Medina	Planning Department, 132 North Elmwood Avenue, Medina, OH 44256.
Unincorporated Areas of Medina County	Medina County Engineering Center, 791 West Smith Road, Medina, OH 44256.
Village of Chippewa Lake	Medina County Engineering Center, 791 West Smith Road, Medina, OH 44256.
Village of Gloria Glens Park	Gloria Glens Park Village Hall, 7966 Lake Road, Chippewa Lake, OH 44215.
Village of Lodi	Village Hall, 108 Ainsworth Street, Lodi, OH 44254.
Village of Seville	Village Hall, 120 Royal Crest Drive, Seville, OH 44273.
Village of Westfield Center	Village Hall, 6701 Greenwich Road, Westfield Center, OH 44251.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: August 12, 2013.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2013–20801 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2013–0002; Internal Agency Docket No. FEMA–B–1349]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR). The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Associate Administrator for Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR Part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean

that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below.

Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
New York: Monroe	Village of Webster, (13–02–0260P).	The Honorable John Cahill, Mayor, Village of Webster, 28 West Main Street, Webster, NY 14580.	Village Hall, 28 West Main Street, Webster, NY 14580.	*http://www.rampp-team.com/lomrs.htm.*	December 3, 2013	360437
Texas:						
Bexar	City of San Antonio, (13–06–1131P).	The Honorable Julian Castro, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Department of Public Works, Storm Water Engineering, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	*http://www.rampp-team.com/lomrs.htm.*	October 21, 2013	480045
Bexar	Unincorporated areas of Bexar County, (13–06–1809P).	The Honorable Nelson W. Wolff, Bexar County Judge, Paul Elizondo Tower, 101 West Nueva Street, 10th Floor, San Antonio, TX 78205.	Bexar County Public Works Department, 233 North Pecos-La Trinidad Street, Suite 420, San Antonio, TX 78207.	*http://www.rampp-team.com/lomrs.htm.*	October 10, 2013	480035
Collin	Unincorporated areas of Collin County, (13–06–1085P).	The Honorable Keith Self, Collin County Judge, 2300 Bloomdale Road, Suite 4192, McKinney, TX 75071.	Collin County Department of Public Works, 210 South McDonald Street, McKinney, TX 75069.	*http://www.rampp-team.com/lomrs.htm.*	October 24, 2013	480130
Dallas	City of Coppell, (13–06–1839P).	The Honorable Karen Hunt, Mayor, City of Coppell, P.O. Box 9478, Coppell, TX 75019.	Department of Engineering, 265 Parkway Boulevard, Coppell, TX 75019.	*http://www.rampp-team.com/lomrs.htm.*	November 4, 2013	480170
Dallas	City of Dallas, (13–06–1839P).	The Honorable Mike Rawlings, Mayor, City of Dallas, 1500 Marilla Street, Room 5EN, Dallas, TX 75201.	Department of Public Works, 320 East Jefferson Boulevard, Room 321, Dallas, TX 75203.	*http://www.rampp-team.com/lomrs.htm.*	November 4, 2013	480171
Dallas	City of Irving, (13–06–1839P).	The Honorable Beth Van Duyne, Mayor, City of Irving, 825 West Irving Boulevard, Irving, TX 75060.	Department of Public Works, 825 West Irving Boulevard, Irving, TX 75060.	*http://www.rampp-team.com/lomrs.htm.*	November 4, 2013	480180
Gillespie	Unincorporated areas of Gillespie County, (13–06–0803P).	The Honorable Mark Stroeher, Gillespie County Judge, 101 West Main Street, Room 101, Fredericksburg, TX 78624.	Gillespie County, 101 West Main Street, Fredericksburg, TX 78624.	*http://www.rampp-team.com/lomrs.htm.*	October 31, 2013	480696
Webb	City of Laredo, (12–06–3255P).	The Honorable Raul G. Salinas, Mayor, City of Laredo, 1110 Houston Street, Laredo, TX 78040.	1120 San Bernardo Avenue, Laredo, TX 78040.	*http://www.rampp-team.com/lomrs.htm.*	October 17, 2013	480651
Webb	Unincorporated areas of Webb County, (12–06–3255P).	The Honorable Danny Valdez, Webb County Judge, 1000 Houston Street, 3rd Floor, Laredo, TX 78040.	Webb County, 1110 Washington Street, Suite 302, Laredo, TX 78040.	*http://www.rampp-team.com/lomrs.htm.*	October 17, 2013	481059

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: August 12, 2013.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2013–20792 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket No. FEMA–2013–0002; Internal Agency Docket No. FEMA–B–1322]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency; DHS.

ACTION: Notice; correction.

SUMMARY: On June 17, 2013, FEMA published in the **Federal Register** (78 FR 36220–36222) a proposed flood hazard determination notice that contained an erroneous table. This notice provides corrections to that table, to be used in lieu of the information published at 78 FR 36220. The table provided here represents the proposed flood hazard determinations and communities affected for Orange County, Texas, and Incorporated Areas.

DATES: Comments are to be submitted on or before November 25, 2013.

ADDRESSES: The Preliminary Flood Insurance Rate Map (FIRM), and where applicable, the Flood Insurance Study (FIS) report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1322, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov*.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064 or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html*.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed in the table below, in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the table below. Any request for reconsideration of the revised flood hazard determinations shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations will also be considered before the FIRM and FIS report are made final.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP may only be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://www.fema.gov/pdf/media/factsheets/2010/srp_fs.pdf*.

In the proposed flood hazard determination notice published at 78 FR 36220 in the June 17, 2013, issue of the **Federal Register**, FEMA published a table titled ''Orange County, Texas, and Incorporated Areas.'' This table contained inaccurate information as to the watershed or communities affected by the proposed flood hazard determinations, or the associated community map repository or web addresses also featured in the table. In this document, FEMA is publishing a table containing the accurate information, to address these prior errors. The information provided below should be used in lieu of that previously published.

Correction

In Proposed rule FR Doc. 2013–14285, beginning on page 36220 in the issue of June 17, 2013, make the following correction. On page 36222, correct the Orange County, Texas table as follows:

Community	Local map repository address
Orange County, Texas, and Incorporated Areas	
Maps Available for Inspection Online at: *www.riskmap6.com/Community.aspx?cid=430&sid=5*	
City of Bridge City	City Hall, 260 Rachal Avenue, Bridge City, TX 77611.
City of Orange	Planning and Community Development Department, 303 8th Street, Orange, TX 77630.
City of Pine Forest	Pine Forest City Hall, 305 Nagel Drive, Vidor, TX 77662.
City of Pinehurst	Pinehurst City Hall, 2497 Martin Luther King Jr. Drive, Orange, TX 77630.
City of Rose City	Secretary's Office, 370 South Rose City Drive, Rose City, TX 77662.
City of Vidor	Public Works Department, 1395 North Main Street, Vidor, TX 77662.
City of West Orange	City Hall, 2700 Western Avenue, West Orange, TX 77630.
Unincorporated Areas of Orange County	Orange County Environmental Health and Code Compliance Department, 10984 FM 1442, Orange, TX 77630.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: August 12, 2013.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2013–20803 Filed 8–26–13; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Inspectorate America Corporation, as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Inspectorate America Corporation, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Inspectorate America Corporation, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes for the next three years as of March 14, 2013.

DATES: *Effective Dates:* The accreditation and approval of Inspectorate America Corporation, as commercial gauger and laboratory became effective on March 14, 2013. The next triennial inspection date will be scheduled for March 2016.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Inspectorate America Corporation, 3306 Loop 197 North, Texas City, TX 77590, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories: *http://cbp.gov/linkhandler/cgov/trade/basic_trade/labs_scientific_svcs/commercial_gaugers/gaulist.ctt/gaulist.pdf.*

Dated: August 14, 2013.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services.

[FR Doc. 2013–20778 Filed 8–26–13; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Inspectorate America Corporation, as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Inspectorate America Corporation, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Inspectorate America Corporation, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes for the next three years as of March 6, 2013.

DATES: *Effective Dates:* The accreditation and approval of Inspectorate America Corporation, as commercial gauger and laboratory became effective on March 6, 2013. The next triennial inspection date will be scheduled for March 2016.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Inspectorate America Corporation, 6175 Hwy 347, Beaumont, TX 77705, has been approved to gauge and accredited to test petroleum and petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *cbp.labhq@dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://cbp.gov/linkhandler/cgov/trade/basic_trade/labs_scientific_svcs/commercial_gaugers/gaulist.ctt/gaulist.pdf.*

Dated: August 14, 2013.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services.

[FR Doc. 2013–20779 Filed 8–26–13; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Announcement of Test Concerning Manifesting and Entry of Residue Found in Instruments of International Traffic (IITs)

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This document announces U.S. Customs and Border Protection's (CBP's) plan to conduct a test concerning the manifesting and entry of residual cargo found in containers arriving as Instruments of International Traffic (IIT). The document also announces that CBP will begin enforcement of HQ Ruling H026715, dated June 19, 2009, when the test announced in this document begins. In HQ Ruling H026715, CBP held that in order to ensure the safety and security of the transportation of IIT containers and the CBP Officers who may examine or work in close proximity to them, IIT containers with residual cargo should not be manifested as empty consistent with the advance cargo information reporting requirements authorized pursuant to 19 U.S.C. 2071 note. The

modified ruling, HQ H026715, requires that residue within containers be ''classified, entered, and manifested.''

CBP recognizes that the trade community believes that the requirement to manifest and enter for residual cargo in accordance with the current regulations would be overly burdensome. As a result, CBP, with input from the trade, has developed a test in order to determine a less burdensome way for the trade to manifest and enter residual cargo in IITs while also ensuring the safety and security of CBP Officers and the transportation of such IITs. Accordingly, this test will allow for a new type of entry designed to capture residue in containers that will be cleaned or re-filled that can be made off the manifest through an indicator that identifies it as a Residue Entry.

Parties not wishing to participate in the test, however, will be required to ''classify, enter, and manifest'' (formal or informal entry) the residual cargo in accordance with the underlying statutes and their implementing regulations when the test begins.

DATES: CBP will begin enforcement of the requirement to manifest and enter residual cargo beginning November 25, 2013. The test announced in this notice will also commence on that date and will run for a period of one year, which may be extended. CBP will begin an evaluation of the test approximately 90 days after commencement.

ADDRESSES: Comments concerning this notice or any aspect of the test may be submitted via email, with a subject line identifier reading ''Comment on the Residue Manifesting and Entry Test'', to *OFO-CARGORELEASE@cbp.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Amy E. Hatfield, Branch Chief, Cargo Conveyance & Security, Office of Field Operations, (202) 365–2698.

SUPPLEMENTARY INFORMATION:

Background

A notice was published in the *Customs Bulletin,* Vol. 42, No. 35, on August 20, 2008, pursuant to section 625(c)(1), Tariff Act of 1930 (19 U.S.C. 1625(c)(1)), as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057, December 8, 1993), proposing to modify HQ Ruling 113219, dated July 12, 1994, which allowed containers meeting the requirements of 19 U.S.C. 1322(a) and 19 CFR 10.41a as IITs and containing residual chemicals to be entered as empty containers.

Consistent with CBP's treatment of similar commodities such as petroleum slops, and to ensure the safety and security of the transportation of such containers and CBP Officers, CBP proposed to modify the ruling to hold that the containers should not be manifested as empty and that the chemical residue contained therein should be ''classified, entered, and manifested.'' This position is in furtherance of the advance cargo information reporting requirements authorized pursuant to 19 U.S.C. 2071 note; and the implementing CBP regulations set forth in 19 CFR 4.7, 123.91, and 123.92. The trade was invited to submit comments on the proposed modification of the 1994 ruling.

Upon review of the comments from the trade on the proposed modification, CBP issued a modification of HQ 113219 on June 19, 2009. This modification, HQ H026715, was published in the *Customs Bulletin,* Vol. 43, No. 28, on July 17, 2009. The modification ruling confirmed the reasoning of the proposed modification, stating that in order to be consistent with CBP's treatment of similar commodities, such as petroleum slops, and to ensure the safety and security of the transportation of such containers and the CBP Officers who may examine or work in close proximity to them, these containers should not be manifested as empty because these containers are not completely empty. CBP has an interest in knowing this for border and CBP Officer security. This ruling became effective for containers arriving in the United States on or after August 16, 2009.

Due to concerns voiced by the trade about the burdens imposed by this ruling, CBP delayed enforcement of this ruling. CBP established a residual cargo working group that included representation from CBP as well as trade alliances from each mode of transportation, in order to implement this ruling. The working group helped establish manifest threshold limits for residual cargo that would be permissible to enter as residual cargo. The working group also helped establish methods of importation that would comply with the 2009 ruling in a less burdensome way. It was determined that CBP would need a test to evaluate the effectiveness of the procedures developed by the working group. As CBP began developing the test, it met many times with the trade and conducted a series of webinars with them. *See http://www.cbp.gov/xp/cgov/trade/trade_outreach/info_iits/.*

Implementation of an Operational Test

Through this Notice, CBP is announcing the commencement of the Residue Manifesting and Entry Test (''Residue Test'') that will provide specific test procedures concerning how to manifest and enter residual cargo. The Residue Test will require suspension of certain CBP regulations (title 19 of the Code of Federal Regulations (CFR)). Current electronic functionality will be used in the implementation of this test.

Authority for Test

The Residue Test is being conducted in accordance with § 101.9(a) of the CBP regulations (19 CFR 101.9(a)), which prescribes general test requirements.

This Test Is Independent From ACE Implementation of Manifest Requirements (M1 Vessel and Rail Manifest)

In a Notice published in the **Federal Register** on March 29, 2012, 77 FR 19030, CBP announced that the Automated Commercial Environment (ACE) will be the only CBP-approved electronic data interchange (EDI) system for submitting required advance cargo information for ocean and rail cargo (referred to as the ACE e-manifest Ocean and Rail M1 manifest functionality). The March 29, 2012 Notice further announced that the effective date of this change was September 29, 2012. This Notice is *unrelated to* the ACE M1 Vessel and Rail Manifest Notice mandating the use of ACE in the vessel and rail modes. The Residue Test announced here applies to the manifesting and entry of residue notwithstanding the system in which the electronic submission of cargo information occurs.

Eligibility for the Residue Test

The Residue Test is open to any party submitting manifest or advance cargo information or any other party who has the right to make entry under 19 U.S.C. 1484.

Participants and non-participants in the Residue Test will be afforded the ability to help CBP develop procedures and engage CBP in discovering efficiencies that might be achieved in the manifesting and processing of entries of residual cargo. It should be noted that non-participation in this test does not relieve one from the obligation to manifest and enter residual cargo. Furthermore, one's liability for user fees under 19 U.S.C. 58c is not affected by this test.

Ports Where Test Will Occur

The Residue Test may be used nationwide.

Test Procedures

Procedures for each mode (rail, truck, ocean, and air) of transport are described separately in this Notice, and are as follows:

1. Test Procedures for Rail Environment

a. In General

All data must be submitted electronically. All containers must be manifested whether they are empty or contain residue.

b. Containers Arriving Clean—No Residue

Any container arriving clean (*i.e.,* with no residue) must be manifested as an empty IIT, consistent with current requirements. Entry is not currently required for any empty container manifested in this fashion and will not be required under the Residue Test.

c. Containers Arriving With Cargo Exceeding 7%

Any arriving container that contains cargo exceeding 7% of the total capacity of the container by weight or volume, using industry standards, must be manifested. A consumption entry will be required, either formal or informal, depending upon its value and applicable regulations. Entry requirements and payment of duties, taxes, and fees, as applicable and as provided by law, will apply.

d. Containers Arriving With Cargo Not Exceeding 7%

Any arriving container with cargo not exceeding 7% of the container's total capacity by weight or volume, using industry standards, will be considered to contain residual cargo and the container must be manifested and entered as having residue.

If the residual cargo has no commercial value, *i.e.,* the container will either be cleaned in accordance with the law, with the residue destroyed, or re-filled for export, CBP will: (1) Accept the declaration of the carrier, or the importer of record if other than the carrier, that the residue has no commercial value ($0 value) and the country of origin is the country from which the container is arriving; (2) require that the type of residue be described up to the 6-digit HTSUS; and (3) require a residue entry designating that the residue cargo has no commercial value.

CBP will release this merchandise under the low value mechanism of 19 U.S.C. 1321, so no merchandise processing fee will be due. For purposes of the Residue Test, this type of entry will be known as a residue entry.

Regulations concerning the making of entry of low value shipments are waived for this portion of the Residue Test. Under the Residue Test, the carrier will have the right to make a residue entry and entry can be made off the manifest with no further documentary requirements if the container is below the set limits.

e. ACE System Procedures for IITs With Residue Not Exceeding 7% (Rail Manifest)

(1) Carrier sends Bill of Lading (BOL) message (X12 309) with Bill Type 23 indicated.

(2) When Bill Type 23 is used, the carrier must also submit value (0 to 200) and country of origin information. Additionally, a reference identifier, ZF, has been created specifically for this type of shipment.

(3) Bills of Type 23 with the ZF qualifier will be identified by the system to the CBP officer reviewing the manifest for review and mass posting of release.

(4) Release Notifications (1C) will be sent electronically to the carrier and Secondary Notify Parties as currently enabled in the system.

f. Recordkeeping

A manifest record indicating a residue entry has been filed will be sufficient to meet recordkeeping requirements for residue entries under the 7% threshold. The record must be maintained by the entry filer in accordance with 19 CFR Part 163.

2. Test Procedures for Truck Environment

a. In General

All data must be submitted electronically. All containers must be manifested whether they are empty or contain residue.

b. Containers Arriving Clean—No Residue

Any container arriving clean (*i.e.,* with no residue) must be manifested as an empty IIT, consistent with current requirements. Entry is not currently required for any empty container manifested in this fashion and will not be required under the Residue Test.

c. Containers Arriving With Cargo Exceeding 3%

Any arriving container that contains cargo exceeding 3% of the total capacity of the container by weight or volume, using industry standards, must be manifested. A consumption entry will be required, either formal or informal, depending upon its value and applicable regulations. Entry requirements and payment of duties, taxes, and fees, as applicable and as provided by law, will apply.

d. Containers Arriving With Cargo Not Exceeding 3%

Any arriving container with cargo not exceeding 3% of the container's total capacity by weight or volume, using industry standards, must be manifested and entered as having residual cargo.

If the residual cargo has no commercial value, *i.e.,* the container will either be cleaned, in accordance with the law, with the residue destroyed or re-filled for export, CBP will: (1) Accept the declaration of the carrier or the importer of record if other than the carrier, that the residue has no commercial value ($0 value) and the country of origin is the country from which the IIT is arriving; (2) require that the type of residue be described up to the 6-digit HTSUS; and (3) require a residue entry designating that the residue cargo has no commercial value.

CBP will release this merchandise under the low value mechanism of 19 U.S.C. 1321 so no merchandise processing fee will be due. For purposes of the Residue Test, this type of entry will be known as a residue entry.

Regulations concerning the making of entry of low value shipments are waived for this portion of the Residue Test. For purposes of the Residue Test, the carrier will have the right to make a residue entry and entry can be made off the manifest with no further documentary requirements if the container is below the set limits.

e. System Procedures for Trucks Arriving with IITs with Residue Not Exceeding 3%

(1) In the Manifest Bill of Lading details the carrier would use either type code '13' for Section 321 release without the Food and Drug Administration-Bio Terrorism Act (FDA–BTA) considerations, or type code '35' for 321 release with FDA–BTA considerations.

(2) If the carrier uses the ACE Portal for submission, these identifiers are all drop down values in the manifest creation screens.

(3) If either type code is used, the carrier must supply 'Customs Shipment Value' and 'country of origin'.

(4) Value submitted must currently be greater than 0 and less than $200. CBP is working to change this edit to accept 0 but will establish a value of $1 as an acceptable alternative to 0 if not available.

(5) CBP will review at arrival and post release.

(6) Release Notifications (1C) will be sent electronically to the carrier and Secondary Notify Parties as currently enabled in the system.

f. Recordkeeping

A manifest record indicating a residue entry has been filed will be sufficient to meet recordkeeping requirements for residue entries under the 3% threshold. The record must be maintained by the entry filer in accordance with 19 CFR Part 163.

3. Test Procedures for Ocean Environment

a. In General

All data must be submitted electronically. All containers must be manifested whether they are empty or contain residue.

b. Container Arriving Clean—No Residue

Any container arriving clean (*i.e.,* with no residue) must be manifested as an empty IIT, consistent with current requirements. Entry is not currently required for any empty container manifested in this fashion and will not be required under the Residue Test.

c. Container Arriving With Cargo Exceeding 3%

Any arriving container that contains cargo exceeding 3% of the total capacity of the container by weight or volume, using industry standards, must be manifested. A consumption entry will be required, either formal or informal, depending upon its value and applicable regulations. Entry requirements and payment of duties, taxes, and fees, as applicable and as provided by law, will apply.

d. Container Arriving With Cargo Not Exceeding 3%

Any arriving container with residual cargo not exceeding 3% of the container's total capacity by weight or volume, using industry standards, must be manifested and entered as having residue.

If the residue has no commercial value, *i.e.,* the IIT will either be cleaned, in accordance with the law, with the residue destroyed or re-filled for export, CBP will: (1) Accept the declaration of the carrier, or the importer of record if other than the carrier, that the residue has no commercial value ($0 value) and the country of origin is the country from which the IIT is arriving; (2) require that the type of residue be described up to the 6-digit HTSUS; and (3) require a residue entry designating that the residue cargo has no commercial value.

CBP will release this merchandise under the low value mechanism of 19 U.S.C. 1321, so that no merchandise processing fee or harbor maintenance fee will be due. For purposes of the Residue Test, this type of entry will be known as a residue entry.

Regulations concerning the making of entry of low value shipments are waived for this portion of the Residue Test. For purposes of the Residue Test, the carrier will have the right to make a residue entry and entry can be made off the manifest with no further documentary requirements if the container is below the set limits.

e. ACE System Procedures for Containers With Residue Not Exceeding 3% (Vessel Manifest)

(1) Regular Bill submitted electronically via EDI process at the master or simple bill level.

(2) Qualifiers for IIT with Residue (TBD) should be the first line of text in the description field, which will include value and country of origin information.

(3) A request for clearance should be made to the CBP port of arrival via existing port procedures for release request notifications.

(4) CBP will manually post release in ACE.

(5) Release Notifications (1C) will be sent electronically to the carrier and Secondary Notify Parties as currently enabled in the system.

f. Recordkeeping

A manifest record indicating a residue entry has been filed will be sufficient to meet recordkeeping requirements for residue entries under the 3% threshold. The record must be maintained by the entry filer in accordance with 19 CFR Part 163.

4. Test Procedures for the Air Environment

a. In General

All data must be submitted electronically. All containers must be manifested whether they are empty or contain residue.

b. Container Arriving Clean—No Residue

Any container arriving clean (*i.e.,* with no residue) must be manifested as an empty IIT, consistent with current requirements. Entry is not currently required for any empty container manifested in this fashion and will not be required under the Residue Test.

c. Container Arriving With Cargo Exceeding 5%

Any arriving container that contains cargo exceeding 5% of the total capacity of the container by weight or volume, using industry standards, must be manifested. A consumption entry will be required, either formal or informal, depending upon its value and applicable regulations. Entry requirements and payment of duties, taxes, and fees, as applicable and as provided by law, will apply.

d. Container Arriving With Cargo Not Exceeding 5%

Any arriving container with cargo not exceeding 5% of the container's total capacity by weight or volume, using industry standards, must be manifested and entered as having residue.

If the residual cargo has no commercial value, *i.e.,* the IIT will either be cleaned, in accordance with the law, with the residue destroyed or re-filled for export, CBP will: (1) Accept the declaration of the carrier, or the importer of record if other than the carrier, that the residue has no commercial value ($0 value) and the country of origin is the country from which the IIT is arriving; (2) require that the type of residue be described up to the 6-digit HTSUS; and (3) require a residue entry designating that the residue cargo has no commercial value.

CBP will release this merchandise under the low value mechanism of 19 U.S.C. 1321, so that no merchandise processing fee will be due. For purposes of the Residue Test, this type of entry will be known as a residue entry.

Regulations concerning the making of entry of low value shipments are waived for this portion of the Residue Test. For purposes of this test, the carrier will have the right to make a residue entry and entry can be made off the manifest with no further documentary requirements if the commercial value is below the set limits.

e. System Procedures for IIT with Residue Not Exceeding 5% (Air Manifest)

(1) If Standard Air Freight

(a) A Regular Bill should be submitted electronically via EDI process.

(b) Qualifiers for IIT with Residue (TBD) should be the first line of text in the description field, which will include the value and country of origin information.

(c) A request for clearance should be made to the CBP port of arrival via existing port procedures for release request notifications.

(d) CBP will manually post release in Air Manifest (AMS).

(e) Release Notifications (1C) will be sent electronically to the carrier and Secondary Notify Parties as currently enabled in the system.

(2) If Express Air Shipment

(a) A request using entry type 86 can be filed in Air AMS Express codes.

(b) If entry type 86, then value and country of origin are required fields.

(c) System identifies shipment to CBP users at arrival port.

(d) Release Notifications are sent electronically as enabled in the system.

f. Air Cargo Advance Screening (ACAS) Filing

ACAS filings will not be required for containers with residue in the air environment.

g. Recordkeeping

A manifest record indicating a residue entry has been filed will be sufficient to meet record keeping requirements for entries of residue under the 5% threshold. The record must be maintained by the entry filer in accordance with 19 CFR Part 163.

Bonding

No additional bonding is required for the Residue Test.

Waiver of Regulations

Any provision in title 19 of the CFR including, but not limited to, provisions found in Subpart C to Part 143 and Subpart C to Part 128 relating to entry/entry summary processing and any manifest reporting requirements set forth in Part 4, 122, or 123 that are inconsistent with the requirements set forth in this notice are waived for the duration of the Residue Test. *See* 19 CFR 101.9(a).

Any and all other government agency requirements relating to transport, manifesting, and entry must be met, including the Environmental Protection Agency requirements that are set forth in 19 CFR Part 12.

Enforcement

Residue cargo must be entered and manifested either in compliance with the current regulations or in compliance with the test procedures set forth in this notice as of 90 days after the date of publication in the **Federal Register**. While CBP plans to phase in enforcement of this requirement, both participants and non-participants in this test must comply with all other CBP laws and regulations.

Test Duration

The Residue Test will begin on or about 90 days after the date of publication in the **Federal Register** and will run for one year, unless extended. If the Residue Test is successful, amendments to the CBP regulations will be proposed.

Test Evaluation

All interested parties are invited to comment on any aspect of this test at any time. To ensure adequate feedback, participants are encouraged to provide an evaluation of this test. CBP needs comments and feedback on all aspects of this test to determine whether to modify, alter, expand, limit, continue, end or implement this program by regulation.

Dated: August 22, 2013.

David J. Murphy,

Acting Assistant Commissioner, Office of Field Operations.

[FR Doc. 2013–20878 Filed 8–26–13; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5687–N–37]

60-Day Notice of Proposed Information Collection: Housing Finance Agency Risk-Sharing Program

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* October 28, 2013.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Thomas L. Goade, Director of Technical Support, Office of Multifamily Housing, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Thomas L. Goade at *Thomas.L.Goade@hud.gov* or telephone 202–402–2727. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Mr. Goade.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Housing Finance Agency Risk-Sharing Program.

OMB Approval Number: 2502–0500.

Type of Request (i.e. new, revision or extension of currently approved collection): Extension.

Form Number: HUD–27038, HUD–92080, HUD–9807, HUD–92426, HUD–94195, HUD–94193, HUD–94196, HUD–2744–A, HUD–2744–B, HUD–2744–C, HUD–2744–D, HUD–2744–E, HUD–94194, HUD–94192, SF–LLL, HUD–7015.15, HUD–7015.16.

Description of the need for the information and proposed use: Section 542 of the Housing and Community Development Act of 1992 directs the Secretary to implement risk sharing with State and local housing finance agencies (HFAs). Under this program, HUD provides full mortgage insurance on multifamily housing projects whose loans are underwritten, processed, and serviced by HFAs. The HFAs will reimburse HUD a certain percentage of any loss under an insured loan depending upon the level of risk the HFA contracts to assume.

The Department requires information collection of loan origination, loan closing, loan management, and servicing in accordance with 25 CFR 266 and HUD Handbook 4590.01. This information must be available to the Department to assess participating HFAs compliance with program regulations and guidelines.

Respondents (i.e. affected public): Business and Other for profit organizations.

Estimated Number of Respondents: 915.

Estimated Number of Responses: 14,808.

Frequency of Response: Annually, Semi-annually, and on Occasion.

Average Hours per Response: 30 minutes to 35.

Total Estimated Burden: 28,919.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: *August 22, 2013.*

Laura M. Marin,

Associate General Deputy Assistant Secretary for Housing—Associate Deputy Federal Housing Commissioner.

[FR Doc. 2013–20839 Filed 8–26–13; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5687–N–38]

60-Day Notice of Proposed Information Collection: Technical Processing Requirements for Multifamily Project Mortgage Insurance

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date: October 28, 2013.*

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Thomas L. Goade, Director of Technical Support, Office of Multifamily Housing, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410; email Thomas L. Goade at *Thomas.L.Goade@hud.gov* or telephone 202–402–2727. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Mr. Goade.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Technical Processing Requirements for Multifamily Project Mortgage Insurance.

OMB Approval Number: 2502–0594.

Type of Request (i.e. new, revision or extension of currently approved collection): Extension.

Form Number: HUD–92466, HUD–2456, HUD–92450, HUD–92443, HUD–3305, HUD–3306, HUD–92403.1, FHA–2415, HUD–92283, FHA–2455, FHA–1710, HUD–92433, and FHA 2459.

Description of the need for the information and proposed use: The information collection is analyzed by HUD during the four technical discipline phases of an application for mortgage insurance—underwriting, valuation, architectural, and mortgage credit analysis. HUD performs each phases during the application process to ensure the financial, physical, and environmental soundness of the project, as well as the potential insurance risk. Sponsors, mortgagors and contractors are required to undergo a thorough examination to determine their solvency, reliability, past experience, and dependability to develop, build, and operate the type of multifamily housing project they propose.

Respondents (i.e. affected public): Business and other non-profit organizations.

Estimated Number of Respondents: 9,250.

Estimated Number of Responses: 11,050.

Frequency of Response: Annual.

Average Hours per Response:

Total Estimated Burdens: 9,250.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: August 22, 2013.

Laura M. Marin,

Associate General Deputy Assistant Secretary for Housing-Associate Deputy Federal Housing Commissioner.

[FR Doc. 2013–20837 Filed 8–26–13; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5683–N–80]

30-Day Notice of Proposed Information Collection: Section 8 Management Assessment Program (SEMAP) Certification

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: HUD has submitted the proposed information collection requirement described below to the Office of Management and Budget (OMB) for review, in accordance with the Paperwork Reduction Act. The purpose of this notice is to allow for an additional 30 days of public comment.

DATES: *Comments Due Date: September 26, 2013.*

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202–395–5806. Email: *OIRA_Submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Colette Pollard at *Colette.Pollard@hud.gov* or telephone 202–402–3400. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD has submitted to OMB a request for approval of the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on June 11, 2013.

A. Overview of Information Collection

Title of Information Collection: Section 8 Management Assessment Program (SEMAP) Certification.

OMB Approval Number: 2577–0215.

Type of Request: Extension without of a currently approved collection.

Form Number: HUD–52648.

Description of the need for the information and proposed use: Program regulations at 24 CFR Part 985 set forth the requirements of the SEMAP that include a certification of Indicators reflecting performance. Through this assessment, HUD can improve oversight of the Housing Choice Voucher program and target monitoring and assistance to public housing agencies (PHA) that need the most improvement and pose the greatest risk. PHAs designated as troubled must implement corrective action plans for improvements.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Annual cost
SEMAP Certification	2,302	1	2,302	12	27,624	
Corrective Action Plan	80	1	100	10	800	
Report on Correction of SEMAP Deficiency	575	1	575	2	1,150	
Total Estimated Annual Burden Hours						$29,574

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. HUD encourages interested parties to submit comment in response to these questions.

Authority Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: August 21, 2013.

Colette Pollard,

Department Reports Management Officer, Office of the Chief Information Officer.

[FR Doc. 2013–20835 Filed 8–26–13; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[FR–5734–N–01]

Availability of HUD's Fiscal Years 2011 and 2012 Service Contract Inventories

AGENCY: Office of the Chief Procurement Officer, HUD.

ACTION: Notice.

SUMMARY: This notice advises of the availability to the public of service contracts awarded by HUD in Fiscal Years (FY) 2011 and 2012.

FOR FURTHER INFORMATION CONTACT: Lisa D. Maguire, Assistant Chief Procurement Officer, Office of Policy, Oversight, and Systems, Office of the Chief Procurement Officer, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; telephone number 202–708–0294 (this is not a toll-free number) and fax number 202–708–8912. Persons with hearing or speech impairments may access Mr. Blocker's telephone number via TTY by calling the toll-free Federal Relay Service at 800–877–8339.

SUPPLEMENTARY INFORMATION: In accordance with section 743 of Division C of the Consolidated Appropriations Act of 2010 (Pub. L. 111–117, approved December 16, 2009, 123 Stat. 3034, at 123 Stat. 3216), HUD is publishing this notice to advise the public of service contracts inventories that were awarded in FY 2011 and FY 2012. The inventories are organized by function and are reviewed by HUD to better understand how contracted services are used to support HUD's primary mission, to insure HUD maintains an adequate workforce for operations and to research whether contractors were performing inherently governmental functions.

The inventory was developed in accordance with guidance issued on November 5, 2010 by the Office of Management and Budget's Office

Federal Procurement Policy (OFPP). OFPP's guidance is available at *http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/service-contact-inventories-guidance-11052010/pdf.*

HUD has posted its inventory and a summary of the inventory on the Department of Housing and Urban Development's homepage at the following link: *http://portal.hud.gov/hudportal/HUD?src=/program_offices/cpo/sci.*

Dated: August 21, 2013.

Lisa D. Maguire,

Assistant Chief Procurement Officer.

[FR Doc. 2013–20834 Filed 8–26–13; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R4–ES–2013–N193; FXES11120400000–134–FF04EF2000]

Endangered and Threatened Wildlife and Plants; Receipt of Application for Incidental Take Permit; Availability of Proposed Low-Effect Habitat Conservation Plan and Associated Documents; Charlotte County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment/information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) application and Habitat Conservation Plan (HCP). Connie Stark (applicant) requests an ITP under the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking about 1.49 acres of foraging, breeding, and sheltering habitat used by the Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) incidental to land preparation and for the construction of a single-family residence and associated infrastructure in Charlotte County, Florida. The applicant's HCP describes the minimization and mitigation measures proposed to address the effects of the project on the scrub-jay.

DATES: Written comments on the ITP application and HCP should be sent to the South Florida Ecological Services Office (see **ADDRESSES**) and should be received on or before September 26, 2013.

ADDRESSES: See the **SUPPLEMENTARY INFORMATION** section below for information on how to submit your comments on the ITP application and HCP. You may obtain a copy of the ITP application and HCP by writing the South Florida Ecological Services Office, Attn: Permit number TE14189B–0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960–3559. In addition, we will make the ITP application and HCP available for public inspection by appointment during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Landrum, Fish and Wildlife Biologist, South Florida Ecological Services Office (see **ADDRESSES**); telephone: 772–469–4304.

SUPPLEMENTARY INFORMATION:

Submitting Comments

If you wish to comment on the ITP application and HCP, you may submit comments by any one of the following methods:

Email: Elizabeth_Landrum@fws.gov. Use Attn: Permit number ''TE14189B–0'' as your message subject line.

Fax: Elizabeth Landrum, 772–562–4288, Attn.: Permit number ''TE14189B–0''. *U.S. mail:* Elizabeth Landrum, South Florida Ecological Services Field Office, Attn: Permit number ''TE14189B–0,'' U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960–3559.

In-person drop-off: You may drop off comments or request information during regular business hours at the above office address.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comments, 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.

Applicant's Proposed Project

We received an application for an incidental take permit, along with a proposed habitat conservation plan. The applicant requests a 5-year permit under section 10(a)(1)(B) of the Act (16 U.S.C. 1531 *et seq.*). If we approve the permit, the applicant anticipates taking 1.49 acre of Florida scrub-jay breeding, feeding, and sheltering habitat for construction of a single family residence and associated infrastructure. The project is located on parcel 402423477003 at latitude 26.977278, longitude—81.875388, Charlotte County, Florida.

The applicant proposes to mitigate for the loss of 1.49 acres of occupied scrub-jay habitat by onsite establishment of a 3.8 acre conservation easement to be managed by Charlotte Harbor Environmental Center, along with a fee of $11,400 for perpetual maintenance of the donated land, within 30 days of permit issuance.

Our Preliminary Determination

The Service has made a preliminary determination that the applicant's project, including the proposed mitigation and minimization measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCP. Therefore, issuance of the ITP is a ''low-effect'' action and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA) (40 CFR 1506.6), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1), and as defined in our Habitat Conservation Planning Handbook (November 1996).

We base our determination that issuance of the ITP qualifies as a low-effect action on the following three criteria: (1) Implementation of the project would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) Implementation of the project would result in minor or negligible effects on other environmental values or resources; and (3) Impacts of the plan, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result, over time, in cumulative effects to environmental values or resources that would be considered significant. As more fully explained in our environmental action statement and associated Low-Effect Screening Form, the applicant's proposed project qualifies as a ''low-effect'' project. This preliminary determination may be revised based on our review of public comments that we receive in response to this notice.

Next Steps

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, will be used in the final analysis to

determine whether or not to issue the ITP. If it is determined that the requirements of the Act are met, the ITP will be issued for the incidental take of the Florida scrub-jay.

Authority

We provide this notice under Section 10 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: August 21, 2013.

Larry Williams,

Field Supervisor, South Florida Ecological Services Office.

[FR Doc. 2013–20850 Filed 8–26–13; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–IA–2013–N196; FXIA16710900000P5–123–FF09A30000]

Endangered Species; Marine Mammals; Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species, marine mammals, or both. With some exceptions, the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) prohibit activities with listed species unless Federal authorization is acquired that allows such activities.

DATES: We must receive comments or requests for documents on or before September 26, 2013. We must receive requests for marine mammal permit public hearings, in writing, at the address shown in the **ADDRESSES** section by September 26, 2013.

ADDRESSES: Brenda Tapia, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203; fax (703) 358–2280; or email *DMAFR@fws.gov.*

FOR FURTHER INFORMATION CONTACT: Brenda Tapia, (703) 358–2104 (telephone); (703) 358–2280 (fax); *DMAFR@fws.gov* (email).

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

A. How do I request copies of applications or comment on submitted applications?

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an email or address not listed under **ADDRESSES.** If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

B. May I review comments submitted by others?

Comments, including names and street addresses of respondents, will be available for public review at the street address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), along with Executive Order 13576, ''Delivering an Efficient, Effective, and Accountable Government,'' and the President's Memorandum for the Heads of Executive Departments and Agencies of January 21, 2009—Transparency and Open Government (74 FR 4685; January 26, 2009), which call on all Federal agencies to promote openness and transparency in Government by disclosing information to the public, we invite public comment on these permit applications before final action is taken. Under the MMPA, you may request a hearing on any MMPA application received. If you request a hearing, give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Service Director.

III. Permit Applications

A. Endangered Species

Applicant: Phoenix Herpetological Society, Scottsdale, AZ; PRT–10934B & 11018B

The applicant requests a permit to import two male and two female American crocodiles (*crocodylus acutus*) from the American Crocodile Education Sanctuary in Belize, for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

B. Endangered Marine Mammals and Marine Mammals

Applicant: Monterey Bay Aquarium, Monterey, CA; PRT–032027

The applicant requests amendment and renewal of the permit to rescue, rehabilitate, and release southern sea otters (*Enhydra lutris nereis*) that are stranded along the California coast for the purpose of enhancement of the survival of the species section 10(a)(1)(A) and as per section 109(h)/112(c) of the Marine Mammal Protection Act. The request also includes authorization for euthanasia of animals too ill or injured for recovery. This notification covers activities to be conducted by the applicant over a 5-year period.

Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the above applications to the Marine Mammal

Commission and the Committee of Scientific Advisors for their review.

Brenda Tapia,

Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

[FR Doc. 2013–20890 Filed 8–26–13; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1SS08011000SX066A000 67F134S180110; S2D2SS08011000SX066 A00033F13XS501520]

Notice of Intent To Initiate Public Scoping and Prepare an Environmental Impact Statement for Area F of the Rosebud Coal Mine, Rosebud and Treasure Counties, Montana

AGENCY: Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior.

ACTION: Notice of Intent to initiate public scoping and prepare an Environmental Impact Statement.

SUMMARY: In accordance with the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA, and the Department of the Interior's (DOI) NEPA regulations, the Office of Surface Mining Reclamation and Enforcement (OSM), Western Region (WR), Denver, Colorado, intends to prepare an Environmental Impact Statement (EIS). The EIS, to be prepared in conjunction with the Montana Department of Environmental Quality (DEQ) pursuant to the Montana Environmental Policy Act (MEPA) and its implementing rules, will analyze the environmental impacts of the proposed action to permit the operation and reclamation of the proposed Area F expansion of the Rosebud Coal Mine.

A single EIS that meets the requirements of both MEPA and NEPA and evaluates all components of the proposed project will be prepared. OSM and DEQ are requesting public comments on the scope of the EIS and significant issues that should be addressed in the EIS.

DATES: The public scoping period will be 45 days in length. Comments concerning the proposed action must be postmarked by October 11, 2013, to be considered in preparing the draft EIS.

OSM, in conjunction with DEQ, will hold a public scoping meeting in Colstrip, Montana, on Thursday, September 12, 2013, from 3pm–7pm at the Isabel Bills Community Learning Center. The meeting will include an open house from 3pm–4pm with the opportunity to view project information. There will be brief presentations from OSM regarding the EIS process and from Western Energy Company (WECo) regarding the proposed project. Presentations will begin at 4pm followed by the opportunity for the public to provide oral and/or written testimony. If you require reasonable accommodations to attend the meeting, contact the person listed under **FOR FURTHER INFORMATION CONTACT** at least one week before the meeting.

The draft EIS is expected to be released for public comment in the second quarter of 2014, and the final EIS is expected by the second quarter of 2015.

ADDRESSES: Comments may be submitted in writing or by email. At the top of your letter or in the subject line of your email message, please indicate that the comments are ''Rosebud Mine Area F EIS Comments.'' All comments received must contain: name of commenter, postal service mailing address, and date of comment. Comments sent as an email message should be sent as an attachment to the message.

Email your comments to: osm-western-energy-area-f-eis@osmre.gov.

Mail/Hand-Delivery/Courier written comments to: Franklin Bartlett, Project Coordinator, Office of Surface Mining Reclamation and Enforcement, Western Region, Casper Area Office, Dick Cheney Federal Building, PO Box 11018, 150 East B Street, Casper, WY 82601–7032.

The public scoping meeting on September 12, 2013, will be held at the Isabel Bills Community Learning Center located at 520 Poplar Drive, Colstrip, MT 59323.

A scoping newsletter is available upon request or an electronic copy may be viewed at (Web site): *http://www.wrcc.osmre.gov/.*

FOR FURTHER INFORMATION CONTACT: Franklin Bartlett, Project Coordinator, Office of Surface Mining Reclamation and Enforcement, Western Region, Casper Area Office, Dick Cheney Federal Building PO Box 11018, 150 East B Street, Casper, WY 82601–7032; phone: (307) 261–6543, or email: *fbartlett@osmre.gov*; or consult (Web site): *http://www.wrcc.osmre.gov/*

SUPPLEMENTARY INFORMATION: The project area is 12 miles west of Colstrip, Montana, in Rosebud and Treasure counties. The surface of the permit area is entirely privately owned, and the subsurface minerals are either privately or federally held. WECo, a subsidiary of Westmoreland Coal Company, operates the Rosebud Mine.

WECo submitted a permit application (C2011003F) to DEQ in October 2011 for Area F, a proposed expansion of the mine. DEQ determined that WECo's revised application was administratively complete on August 1, 2012, and began its review for technical adequacy, which is currently ongoing. This permit application involves Federal lands. Pursuant to 30 CFR 746, no mining shall be conducted on Federal lands until the Secretary has approved the mining plan. The decision to approve a mining plan for the proposed Area F is a Federal action and NEPA analysis will be required.

A single EIS that meets the requirements of both MEPA and NEPA and evaluates all components of the proposed project will be prepared. This Notice of Intent initiates the scoping process, which guides the development of the EIS. At this stage of the planning process, site-specific public comments are being requested to determine the scope of the analysis and identify significant issues and alternatives to the proposed action. OSM and DEQ are requesting public comments on the scope of the EIS and significant issues that should be addressed in the EIS.

Rosebud Mine

The Rosebud Mine is a 25,576-acre surface coal mine producing low-sulfur subbituminous coal. The proposed permit area for Area F would add 6,746 acres (4,287 acres would be disturbed by the mining operations, highwall reduction, soil storage, scoria pits, haul road construction, and other miscellaneous disturbances) in Township 2 North, Range 38 and 39 East, and Township 1 North, Range 39 East. If approved, Area F would add coal reserves to the existing Rosebud Mine and extend mine life by an estimated 19 years.

Current land uses include grazing land, pastureland, cropland, and wildlife habitat. Tributaries of Horse Creek and West Fork Armells Creek, including Black Hank Creek, Donley Creek, Robbie Creek, and McClure Creek (all of which lie within the drainage of the Yellowstone River), drain the proposed mine area. A ridge in the western portion of the proposed mine area divides the Horse Creek and West Fork Armells Creek drainages.

Proposed Action

Beginning in 2015, WECo proposes to mine 2,164 acres within the proposed 6,746-acre Area F permit area and would complete mining operations by

2034. During the first 12 years of production, 4,000,000 tons of coal would be mined annually, with the rate dropping to 3,250,000 tons annually during the last 7 years of production.

The coal mining method proposed would be the same area strip mining method that WECo currently uses in other permitted areas of the Rosebud Mine. In advance of each mining pass, soil would be removed from the area and stockpiled according to type for use later during reclamation. Next, the overburden (sedimentary rock material covering the coal seams) would be drilled and blasted. Overburden from the initial cut would be stockpiled as spoil. A dragline would then be used to strip the overburden from succeeding mine passes. Spoil would be cast into the mined-out pit created by the preceding pass. After the dragline exposes the coal seam in each pass, the coal would be drilled and blasted. A loading shovel, front-end loader, or backhoe would be used to load blasted coal into coal haulers.

The coal would be transported on an established haul road to permit Area C for crushing. From there, per WECo's contract with PPL Electric Utilities Corporation, most of the coal would be sent via the existing 4.2-mile conveyor to the Colstrip Steam Electric Station. Coal with higher sulfur content (an estimated 105,000 tons/year) would be trucked to the Rosebud Power Plant. WECo does not propose to ship any coal from Area F by rail.

As proposed, initial operations in 2015 would be limited to mine passes in the northeastern portion of Area F and would sequentially progress toward the southwest, and then north to the final cuts. As mining progresses to each new portion of Area F, a boxcut will be made to expose the coal seam. Overburden stockpiles, soil stockpiles, and scoria pits would be developed adjacent to the active boxcut pit area. After the initial cut, spoil from succeeding mine passes would be deposited in previous passes, including the boxcut. The sequence of operations would be as follows: (1) Sediment control, (2) soil salvage, (3) access and haul roads, (4) blasting, (5) overburden removal, (6) coal recovery, (7) highwall reduction, (8) backfilling and recontouring, and (9) revegetation.

Starting in 2019, reclamation would be concurrent with and following mining (ending in 2039) and would facilitate the following post-mine land uses: grazing land, pastureland, cropland, and wildlife habitat. The major reclamation steps planned for before and after mining include soil material salvage and redistribution, pit backfilling, regrading and contouring, drainage construction, revegetation, and post-mine monitoring. In addition to reclamation of the landscape disturbed by actual mining, other disturbed areas would require reclamation including the road system, mine plant facilities, sedimentation ponds, and temporary diversion structures.

Preliminary Issues and Alternatives

The EIS will consider a range of alternatives based on the issues, concerns, and opportunities associated with the proposed Area F project. A preliminary identification of issues, concerns, and opportunities are:

- What effect would the proposed project have on soils and geology?
- What effect would the proposed project have on ground water?
- What effect would the proposed project have on surface water?
- What effect would the proposed project have on wetlands?
- What effect would the proposed project have on wildlife, particularly on threatened, endangered, or sensitive species?
- What effect would the proposed project have on air quality?
- What effect would the proposed project have on noise receptors?
- What effect would the proposed project have on visual resources?
- What effect would the proposed project have on land use?
- What effect would the proposed project have on transportation systems?
- What social and economic effects would the proposed project have on local communities?
- What would be the cumulative effects of the proposed project in combination with other past, present, and reasonably foreseeable activities?

Two primary alternatives will be considered: a no action alternative and an alternative to approve the project as proposed. Other alternatives will be developed that consist of modifications of, or changes to, various elements comprising the proposal.

Lead and Cooperating Agencies

OSM and DEQ have agreed to be the Lead Agencies for this project. The Bureau of Land Management may participate as a cooperating agency in the preparation of the EIS. Other governmental agencies and any members of the public that may be interested in, or affected by, the proposal are invited to participate in the scoping process, which is designed to obtain input and identify potential issues relating to the proposed project.

Responsible Officials

Allen D. Klein, Regional Director, Office of Surface Mining Reclamation and Enforcement, Western Region, 1999 Broadway, Suite 3320, Denver, CO 80202–3050 and Tracy Stone-Manning, Director, Montana Department of Environmental Quality, Director's Office, 1520 East 6th Avenue, Helena, MT 59620–9601 will be jointly responsible for the EIS. These two decision makers will make a decision regarding this proposal after considering comments and responses pertaining to environmental consequences discussed in the Final EIS and all applicable laws, regulations, and policies.

The decision of a selected alternative and supporting reasoning will be documented in two Records of Decision (ROD), one issued by OSM and one issued by DEQ. OSM's ROD will be integrated into a mining plan decision document (MPDD) that will be submitted for approval to the DOI Assistant Secretary for Land and Minerals Management (ASLM).

Nature of Decisions to Be Made

The nature of the decisions to be made is to select an action that meets the legal rights of the proponent while protecting the environment, and is in compliance with applicable laws, regulations, and policies. OSM and DEQ will use the EIS process to develop the necessary information to make an informed decision as required by 30 CFR 746.

Based on the alternatives developed in the EIS, the following are possible OSM decisions:

(1) Recommendation that the DOI ASLM approve a mining plan based on the proposed action;

(2) Recommendation that the DOI ASLM conditionally approve a mining plan based on a preferred alternative; or

(3) Recommendation that the DOI ASLM deny a mining plan based on the proposed action.

Based on the alternatives developed in the EIS, the following are possible DEQ decisions:

(1) An approval of the permit application as submitted;

(2) An approval of the permit application with changes, and the incorporation of mitigations and stipulations that meet the mandates of applicable laws, regulations, and policies; or

(3) Denial of the permit application if no alternative can be developed that is in compliance with applicable laws, regulations, and policies.

Permits or Licenses Required

Various permits and licenses are needed prior to implementation of the proposed project. Permits or licenses required by the issuing agencies identified for this proposal are:

- Mine permit from DEQ;
- Mining plan approval by DOI;
- Air quality permit from DEQ;
- Storm water permit and modification of the existing Montana Pollution Discharge Elimination System (MPDES) Permit MT–0023965 from DEQ; and
- 404 permit from the U.S. Army Corps of Engineers.

Public Comment Procedures

OSM, in conjunction with DEQ, will hold a public scoping meeting in Colstrip, Montana, on Thursday, September 12, 2013 from 3pm–7pm at the Isabel Bills Community Learning Center, located at 520 Poplar Drive, Colstrip, MT 59323. The meeting will include an open house from 3pm–4pm with the opportunity to view project information. There will be brief presentations from OSM regarding the EIS process and from WECo regarding the proposed project. Presentations will begin at 4pm followed by the opportunity for the public to provide oral and/or written testimony. Oral testimony will be limited to three minutes per person. A court reporter will be present to record comments. The location and time of the meeting will also be published in the Billings Gazette and Forsythe Independent Press approximately one week prior to the meeting date.

A scoping newsletter is available upon request or an electronic copy may be viewed at (Web site): *http://www.wrcc.osmre.gov/*

Written comments, including email comments, should be sent to OSM at the addresses given in the **ADDRESSES** section of this notice. Comments should be specific and pertain only to the issues relating to the proposals. OSM will include all comments in the administrative record.

Availability of Comments

OSM will make comments, including name of respondent, address, phone number, email address, or other personal identifying information, available for public review during normal business hours. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments may not have standing to challenge the subsequent decision.

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, will be publicly available. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be available for public review to the extent consistent with applicable law.

Dated: August 1, 2013.

Allen D. Klein,

Regional Director, Western Region, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 2013–20860 Filed 8–26–13; 8:45 am]

BILLING CODE 4310–05–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–749 (Third Review)]

Persulfates From China; Scheduling of a Full Five-Year Review Concerning the Antidumping Duty Order on Persulfates from China

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of a full review pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)) (the Act) to determine whether revocation of the antidumping duty order on persulfates from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

DATES: *Effective Date:* August 21, 2013.

FOR FURTHER INFORMATION CONTACT: Angela M. W. Newell (202–708–5409), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*http://www.usitc.gov*). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov*.

SUPPLEMENTARY INFORMATION:

Background.—On June 3, 2013, the Commission determined that responses to its notice of institution of the subject five-year review were such that a full review pursuant to section 751(c)(5) of the Act should proceed (78 FR 35314, June 12, 2013). A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements are available from the Office of the Secretary and at the Commission's Web site.

Participation in the review and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in this review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, by 45 days after publication of this notice. A party that filed a notice of appearance following publication of the Commission's notice of institution of the review need not file an additional notice of appearance. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this review available to authorized applicants under the APO issued in the review, provided that the application is made by 45 days after publication of this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the review. A party granted access to BPI following publication of the Commission's notice of institution of the review need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the review will be placed in the nonpublic record on November 14, 2013, and a public version will be

issued thereafter, pursuant to section 207.64 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the review beginning at 9:30 a.m. on December 10, 2013, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before November 25, 2013. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on December 2, 2013, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), 207.24, and 207.66 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party to the review may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.65 of the Commission's rules; the deadline for filing is November 25, 2013. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is December 19, 2013. In addition, any person who has not entered an appearance as a party to the review may submit a written statement of information pertinent to the subject of the review on or before December 19, 2013. On January 23, 2014, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before January 28, 2014, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. Please be aware that the Commission's rules with respect to electronic filing have been amended. The amendments took effect on November 7, 2011. See 76 FR 61937 (Oct. 6, 2011) and the newly revised Commission's Handbook on E-Filing, available on the Commission's Web site at *http://edis.usitc.gov*.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.
Issued: August 21, 2013.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2013–20754 Filed 8–26–13; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Docket No. 2974]

Certain Multiple Mode Outdoor Grills and Parts Thereof; 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 Multiple Mode Outdoor Grills and Parts Thereof,* DN 2974; 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, Acting 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 A&J Manufacturing, LLC and A&J Manufacturing, Inc. on August 21, 2013. 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 multiple mode outdoor grills and parts thereof. The complaint names as respondents The Brinkmann Corporation of TX; W.C. Bradley Co. of GA; GHP Group, Inc. of IL; Kamado Joe Company of GA; Outdoor Leisure Products Inc. of MO; Rankam Group of CA; Academy Ltd., d/b/a Academy Sports + Outdoors of TX; HEB Grocery Company, LP, d/b/a H–E–B of TX; Kmart Corporation of IL; Sears Brands Management Corporation of IL; Sears Holding Corporation of IL; Sears, Roebuck, & Company of IL; Tractor Supply Company of TN; Guangdong Canbo Electrical Co., Ltd. of China; Chant Kitchen Equipment (HK) Ltd. of China; Dongguan Kingsun Enterprises Co., Ltd, of China; Zhejiang Fudeer Electric Appliance Co., Ltd. of China; Ningbo Huige Outdoor Products Co., Ltd. of China; Keesung Manufacturing Co., Ltd. of China; Ningbo Spring Communication Technologies Co. Ltd. of China; and Wuxi Joyray International Corp. of China. The complainant requests that the Commission issue a general exclusion order or in the

[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.*

alternative issue a limited exclusion order, and cease and desist orders.

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. 2974'') 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 22, 2013.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2013–20866 Filed 8–26–13; 8:45 am]

BILLING CODE 7020–02–P

[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 JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

On August 21, 2013, the Department of Justice lodged a proposed Consent Decree (''Decree'') in the United States District Court for the Eastern District of Kentucky, Ashland Division in the lawsuit entitled *United States of America and the Commonwealth of Kentucky* v. *AK Steel Corporation* (''Defendant''), Civil Action No. 03–CV–00122–HRW.

This Decree represents a settlement of claims against the Defendant for violations of the Clean Air Act, 42 U.S.C. 7401 et seq., implementing regulations, the Defendant's title V permit, and the Kentucky State Implementation Plan (''SIP''). The alleged violations occurred at the Defendant's coke production facilities located at 400 East Winchester Avenue in Ashland, Kentucky. The Defendant ceased operations at the coke facilities on June 21, 2011.

Under this settlement between the United States and the Commonwealth and the Defendant, the Defendant will be required to pay a civil penalty to the United States in the amount of $1,625,000. The Defendant will be required to pay a civil penalty to the Commonwealth in the amount of $25,000. In addition, the Defendant will be required to perform two supplemental environmental projects (''SEPs'') for the benefit of the Commonwealth at the Defendant's steel facilities which are also situated in Ashland, Kentucky. The purpose of the SEPs is to reduce the emission of particulates. The estimated cost of performing the SEPs is $2 million. Since the coke facilities are no longer in operation, the Defendant is not required, under this Consent Decree, to take any action to bring the coke facilities into compliance with the Clean Air Act.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to United States and Commonwealth of Kentucky v. AK Steel Corporation, D.J. Ref. No. 90–5–2–1–09449. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By e-mail	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $8.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Henry S. Friedman,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2013–20776 Filed 8–26–13; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Re-Publication of Notice of Lodging of Proposed Third Amendment to Consent Decree Under the Clean Air Act

On July 23, 2013, the Department of Justice lodged a proposed Third Amendment to the Consent Decree with the United States District Court for the Southern District of Illinois in the lawsuit entitled *United States* et al v. *Lafarge North America* et al, Civil Action No. 3:10–cv–44. Notice of lodging of the Proposed Third Amendment to the Consent Decree was first published in the **Federal Register** on July 26, 2013 (78 FR 45,272). We are re-publishing this notice to correct a typographical error in the Internet Web site address where the proposed Third Amendment can be accessed electronically.

Following public notice and opportunity for public comment, on March 18, 2010 the Court entered a Consent Decree resolving certain violations of the federal Clean Air Act, 42 U.S.C. 7401 *et seq.* by Lafarge North America, Lafarge Building Materials, and Lafarge Midwest (collectively, the ''Lafarge Companies'') alleged by Plaintiff United States and Plaintiff-Intervenors the State of Alabama, the State of Illinois, the State of Iowa, the State of Kansas, the State of Michigan, the State of Missouri, the State of New York, the State of Ohio, the Commonwealth of Pennsylvania Department of Environmental Protection, the South Carolina Department of Health and Environmental Control, the Washington State Department of Ecology, the Oklahoma Department of Environmental Quality, and the Puget Sound Clean Air Agency (collectively, ''State Plaintiffs''). The Court amended the Consent Decree on April 28, 2011 and again on October 4, 2012.

The United States, the State of New York, and the Lafarge Companies have agreed to further amend the Consent Decree to provide the Lafarge Companies with an extension of time of until July 1, 2016 to complete construction of a replacement kiln at the Ravena, New York cement plant in return for commitments by the Lafarge Companies set forth in the proposed Third Amendment to the Consent Decree. In general, those commitments by the Lafarge Companies are that beginning on January 1, 2013, the Lafarge Companies shall comply with stringent emission caps, specified herein, for sulfur dioxide and nitrogen oxides from the Ravena cement plant, and further that the Lafarge Companies shall fund emission reduction projects in the community surrounding the plant.

The publication of this notice continues a period for public comment on the proposed Third Amendment to the Consent Decree that began on July 26, 2013. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* et al v. *Lafarge North America* et al, D.J. Ref. No. 90–5–2–1–08221. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By e-mail	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044–7611.

During the public comment period, the proposed Third Amendment to the Consent Decree may be examined and downloaded at this Justice Department Web site: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $5.75 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is $4.25.

Maureen Katz,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2013–20830 Filed 8–26–13; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Report on Occupational Employment and Wages

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Bureau of Labor Statistics (BLS) sponsored information collection request (ICR) revision titled, ''Report on Occupational Employment and Wages,'' to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995.

DATES: Submit comments on or before September 26, 2013.

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=201303-1220-001* (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 (this is not a toll-free number) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–BLS, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503, Fax: 202–395–6881 (this is not a toll-free number), email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Information Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210, email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129 (this is not a toll-free number) or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Occupational Employment Statistics (OES) survey is a Federal/State establishment survey of wage and salary workers designed to produce data on current detailed occupational employment and wages for each Metropolitan Statistical Area and Metropolitan Division as well as by detailed industry classification. OES survey data assist in the development of employment and training programs established by the Perkins Vocational Education Act of 1998 and the Workforce Investment Act of 1998. This ICR has been classified as a revision, because the OES Response Analysis Survey has been completed, allowing for its removal from the ICR, and a reduction in the OES sample as a result of the elimination of the Green Goods and Services survey.

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 1220–0042. The current approval is scheduled to expire on October 31, 2013; however, it should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New requirements would only take effect upon OMB approval. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 20, 2013 (78 FR 29382).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1220–0042. 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–BLS.

Title of Collection: Report on Occupational Employment and Wages.

OMB Control Number: 1220–0042.

Affected Public: State, Local, and Tribal Governments and Private Sector—businesses or other for-profits and not-for-profit institutions.

Total Estimated Number of Respondents: 310,068.

Total Estimated Number of Responses: 310,068.

Total Estimated Annual Burden Hours: 232,550.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: August 21, 2013.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2013–20804 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,313]

ICG Knott County, LLC, a Subsidiary of ICG, Inc., a Subsidiary of Arch Coal, Inc.; Including On-Site Leased Workers From P&P Construction; Kite, Kentucky; Notice of Negative Determination on Reconsideration

On May 16, 2013, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of ICG Knott County, LLC, a subsidiary of ICG, Inc., a subsidiary of Arch Coal, Inc., Kite, Kentucky (subject firm). The Department's Notice was published in the **Federal Register** on May 30, 2013 (78 FR 32463). The workers are engaged in employment related to the production of bituminous coal. The subject firm includes on-site leased workers of P&P Construction.

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a mis-interpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on the findings that worker separations were not attributable to increased imports of bituminous coal (or articles like or directly competitive), by the subject firm or its declining customers, or a shift/acquisition of the production of bituminous coal (or articles like or directly competitive) to/from a foreign country by the workers' firm during the time period under investigation (2011 and 2012).

In the request for reconsideration, a former worker alleged that workers at the subject firm were impacted by the operations of the parent company, Arch Coal, Inc., and the purchasing patterns of its customers. The former worker also alleged that the increased use of natural gas instead of bituminous coal by customers of the subject firm and customers of the parent company led to production declines and worker separations at the subject firm.

Further, according to the allegation, the customers that the subject firm previously supplied with bituminous coal switched to gas for their energy use because the two products are directly competitive. Therefore, the former worker requested that the Department expand the reconsideration investigation to examine the operations of the parent company and to evaluate imports of natural gas.

During the reconsideration investigation, the Department reviewed and confirmed information collected during the initial investigation, collected additional information from the subject firm and its major customers, and collected and analyzed natural gas data from the U.S. Energy Information Administration and the U.S. Department of Energy.

The reconsideration investigation findings confirmed that neither the subject firm nor its major customers imported articles like or directly competitive with bituminous coal during the relevant period. Additionally, the findings confirmed that the subject firm did not shift the production of bituminous coal to a foreign country or acquire this article, or any articles like or directly competitive, from a foreign country during the period under investigation. The findings of the reconsideration investigation also confirmed that Arch Coal, Inc. acquired the subject firm during the period under investigation but clarified that the subject firm continued to operate independently and retained its own customer base following the acquisition.

During the initial investigation, the Department conducted a customer survey on the major customers of the subject firm. The surveyed customers reported no imports of bituminous coal or articles like or directly competitive. During the reconsideration investigation, the Department contacted

the same customers to determine whether these customers had the operational capability to use natural gas and, if so, whether they increased imports of natural gas. The customers did not have any such imports.

No customer survey was conducted on the customers of Arch Coal, Inc., because the subject firm retained its own customer base during the period under investigation.

During the reconsideration investigation, the Department collected natural gas data from the U.S. Energy Information Administration and the U.S. Department of Energy. An analysis of the data revealed that imports of natural gas into the United States declined in the period under investigation while exports of natural gas by the United States increased during this period.

After careful review of the request for reconsideration, previously-submitted information, and information obtained during the reconsideration investigation, the Department determines that 29 CFR 90.18(c) has not been met.

Conclusion

After careful review, I determine that the requirements of Section 222 of the Act, 19 U.S.C. 2272, have not been met and, therefore, deny the petition for group eligibility of ICG Knott County, LLC, a subsidiary of ICG, Inc., a subsidiary of Arch Coal, Inc., including on-site leased workers of P&P Construction, Kite, Kentucky, to apply for adjustment assistance, in accordance with Section 223 of the Act, 19 U.S.C. 2273.

Signed in Washington, DC, on this 15th day of August 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20815 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,845]

Keithley Instruments; Solon, Ohio; Notice of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 25, 2013 in response to a Trade Adjustment Assistance (TAA) petition filed by a company official on behalf of workers of Keithley Instruments, Solon, Ohio. On July 5, 2013, the Department issued a Notice of Termination of Investigation on the basis that the subject worker group was eligible to apply for TAA under TA–W–80,264. Based on information provided by the subject firm, the Department has determined that the termination was issued in error. Consequently, the Department is withdrawing the Notice of Termination of Investigation and will issue a determination accordingly.

Signed in Washington, DC, this 13th day of August 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20814 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,288; TA–W–82,288A; TA–W–82,288B; TA–W–82,288C]

Gamesa Technology Corporation, Including On-Site Leased Workers From A & A Wind Pros Inc., ABB Inc., Airway Services Inc., Amerisafe Consulting & Safety Services, Apex Alternative Access, Avanti Wind Systems, Inc., Broadwind Services LLC, Electric Power Systems International, Evolution Energy Group LLC, Global Energy Services USA Inc., Ingeteam Inc., Kelly Services, Inc., LM Wind Power Blades (ND) Inc., Matrix Service Industrial Contract, Mistras Group, Onion ICS LLC, Power Climber Wind, Rope Partner, Inc., Run Energy LP, SERENA USA, Inc., Spherion ''The Mergis Group,'' System One UpWind Solutions Inc., and Wind Solutions LLC Trevose, Pennsylvania; Gamesa Technology Corporation, Fairless Hills, Pennsylvania; Gamesa Technology Corporation, Including On-Site Leased Workers From Work Link Ebensburg, Pennsylvania; Gamesa Technology Corporation, Bristol, Pennsylvania; Notice of Negative Determination on Reconsideration

On March 8, 2013, the Department of Labor issued a negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of Gamesa Technology Corporation, Trevose, Pennsylvania, Fairless Hills, Pennsylvania, Ebensburg, Pennsylvania, and Bristol, Pennsylvania (hereafter collectively referred to as ''Gamesa'' or ''the subject firm'').

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on the Department's finding of no shift in production of like or directly competitive articles to a foreign country, no acquisition of production of like or directly competitive articles from a foreign country, and no increased imports of like or directly competitive articles during the relevant period, as defined in 29 CFR part 90.

In the request for reconsideration, the state workforce official alleged that the subject firm has shifted abroad the production or articles like or directly competitive with those produced by the subject firm and urged the Department to consider information in the 201302015 business plan on the Gamesa Web site, which reflected increased reliance on a facility on Spain and ''increased blade outsourcing of 65%.'' The attachment to the request included a letter which alleged imports from China and Spain and the effect of lost bids due to the uncertainty of the Production Tax Credit extension.

Information obtained during the reconsideration investigation confirmed that the subject firm did not shift, and does not plan to shift, production of like or directly competitive articles to a foreign country or acquire such production from a foreign country, and that the subject firm did not import, and has no plans to import, articles like or directly competitive with those produced by the subject firm.

Should the subject firm shift, or decide to shift, production of like or directly competitive articles to a foreign country, acquire the production of like or directly competitive articles from a foreign country, or begin to import like or directly competitive articles, those facts would be relevant to the investigation of a new petition, not the immediate investigation.

For the reasons stated above, the Department determines that 29 CFR 90.18(c) has not been met.

Conclusion

After careful review, I determine that the requirements of Section 222 of the Act, 19 U.S.C. 2272, have not been met and, therefore, deny the petition for

group eligibility of Gamesa Technology Corporation, including on-site leased workers from A & A Wind Pros Inc., ABB Inc., Airway Services Inc., Amerisafe Consulting & Safety Services, Apex Alternative Access, Avanti Wind Systems, Inc., Broadwind Services LLC, Electric Power Systems International, Evolution Energy Group LLC, Global Energy Services USA Inc., Ingeteam Inc., Kelly Services, Inc., LM Wind Power Blades (ND Inc., Matrix Service Industrial Contract, Mistras Group Inc., Orion ICS LLC, Power Climber Wind, Rope Partner, Inc., Run Energy LP, SERENA USA, Inc., Spherion ''The Mergis Group,'' System One, UpWind Solutions Inc., Wind Solutions LLC, and Wind Turbine Solutions LLC, Trevose, Pennsylvania (TA–W–82,288), Gamesa Technology Corporation, Fairless Hills, Pennsylvania (TA–W–82,288A), Gamesa Technology Corporation, including on-site leased workers from Work Link, Ebensburg, Pennsylvania (TA–W–82,288B), and Gamesa Technology Corporation, Bristol, Pennsylvania (TA–W–82,288C), to apply for adjustment assistance, in accordance with Section 223 of the Act, 19 U.S.C. 2273.

Signed in Washington, DC on this 8th day of August, 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20808 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,663]

Belden, Inc. Including On-Site Leased Workers From Adecco Horseheads, New York; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated July 8, 2013, workers requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of the subject firm. The determination was issued on June 14, 2013 and the Notice of Determination was published in the **Federal Register** on July 2, 2013 (78 FR 39776). The subject firm produces coaxial cable connectors and related parts.

The initial investigation resulted in a negative determination based on the findings that there was no increase in imports by the workers' firm or its customers, nor was there a foreign shift or acquisition by the workers' firm or its customers.

The request for reconsideration alleges, among other things, that Belden has been outsourcing to China and Mexico for twenty years, that the subject firm's ''splice connectors are now almost solely produced in Asia, including . . . TBCF81'' and ''In 2012, Belden bought PPC . . . PPC sources almost all of its 350 million Drop-line connector components in China.''

The Department has carefully reviewed the request for reconsideration and the existing record, and has determined that the Department will conduct further investigation to clarify key facts and to determine if the workers meet the eligibility requirements of the Trade Act of 1974, as amended.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 8th day of August, 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20805 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,568; TA–W–82,568A; TA–W–82,537B]

Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

Homeward Residential, Inc. a Subsidiary of Ocwen Loan Servicing, LLC Including On-Site Leased Workers from Staffmark Staffing Including Workers whose Unemployment Insurance (UI) Wages are Reported through American Mortgage Servicing, Inc., Power Reo Management Services, Inc., and Stratus Asset Management Coppell, Texas; Homeward Residential, Inc. a Subsidiary of Ocwen Loan Servicing, LLC Including On-Site Leased Workers from Staffmark Staffing Including Workers whose Unemployment Insurance (UI) Wages are Reported Through American Mortgage Servicing, Inc., Power Reo Management Services, Inc., and Stratus Asset Management Addison, Texas; Homeward Residential, Inc. a Subsidiary of Ocwen Loan Servicing, LLC Including On-Site Leased Workers from Staffmark Staffing Including Workers whose Unemployment Insurance (UI) Wages are Reported Through American Mortgage Servicing, Inc., Power Reo Management Services, Inc., and Stratus Asset Management Jacksonville, Florida

In accordance with Section 223 of the Trade Act of 1974, as amended (''Act''), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on April 24, 2013, applicable to workers of Homeward Residential, Inc., a subsidiary of Ocwen Loan Servicing, LLC, including on-site leased workers from Staffmark Staffing, Coppell, Texas (TA–W–82,568), Addison, Texas (TA–W–82,568A) and Jacksonville, Florida (TA–W–82,568B). On June 21, 2013, the Department issued an amended certification to include workers whose unemployment insurance wages were reported under American Home Mortgage Servicing, Inc.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm.

New information shows that workers separated from employment at the Coppell, Texas, Addison, Texas and/or Jacksonville, Florida locations of Homeward Residential, Inc. had their unemployment insurance (UI) wages paid under the names Power REO Management Services, Inc. and/or Stratus Asset Management.

Accordingly, the Department is amending this certification to include workers of the subject firm whose UI wages are reported through Power REO Management Services, Inc. and/or Stratus Asset Management.

The amended notice applicable to TA–W–82,568, TA–W–82,568A and TA–W–82,568B are hereby issued as follows:

''All workers from Homeward Residential, Inc., a subsidiary of Ocwen Loan Servicing, LLC, including on-site leased workers from Staffmark Staffing, including workers whose unemployment insurance (UI) wages are reported through American Mortgage Servicing, Inc., Power REO Management Services, Inc., and Stratus Asset Management, Coppell, Texas (TA–W–82,568); Homeward Residential, Inc., a subsidiary of Ocwen Loan Servicing, LLC, including on-site leased workers from Staffmark Staffing, including workers whose unemployment insurance (UI) wages are reported through American Mortgage Servicing, Inc., Power REO Management Services, Inc., and Stratus Asset Management, Addison, Texas (TA–W–82,568A), and Homeward Residential, Inc., a subsidiary of Ocwen Loan Servicing, LLC, including on-site leased workers from Staffmark Staffing, including workers whose unemployment insurance (UI) wages are reported through American Mortgage Servicing, Inc., Power REO Management Services, Inc., and Stratus Asset Management, Jacksonville, Florida (TA–W–

82,568B), who became totally or partially separated from employment on or after March 15, 2012, through April 24, 2015, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.''

Signed at Washington, DC this 14th day of August 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20816 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA–W) number issued during the period of *August 5, 2013 through August 9, 2013*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

(1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); or

(B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

TA–W No.	Subject firm	Location	Impact date
82,746	Quality Manufacturing Co. Inc., Adecco	Winchester, KY	May 15, 2012.
82,771	Unipower LLC	Brookfield, CT	May 29, 2012.
82,896	Charles Inc	Council Bluffs, IA	July 10, 2012.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
82,787	Xerox Commercial Solutions, LLC, Strategic Business Unit (SBU)	North Bend, OR	June 4, 2012.
82,788	Liberty Medical Supply, Inc.	Port Saint Lucie, FL	June 6, 2012.
82,849	Alpine Access, Inc., Sykes Enterprises, Workforce Management Team, Apple One.	Denver, CO	June 25, 2012.
82,854	State Street Corporation, Institutional Investor Services, Daley & Associates, IBA Software, etc.	Quincy, MA	June 26, 2012.
82,914	Sealed Air Corporation, IT Help Desk, MDI	Duncan, SC	July 12, 2012.
82,917	Sensata Technologies, Inc., Controls, Burn-In-Test Scokets Division, Experis.	Phoenix, AZ	July 15, 2012.
82,933	GD Van Wagenen Financial Services, Inc., Bankers Insurance Group, Ultimate Staffing and HR Personnel.	Eden Prairie, MN	July 18, 2012.
82,937	Cambia Health Solutions, Inc., Claims Department	Portland, OR	July 18, 2012.
82,937A	Cambia Health Solutions, Inc., Claims Department	Lewiston, IA	July 18, 2012.
82,937B	Cambia Health Solutions, Inc., Claims Department	Medford, OR	July 18, 2012.
82,937C	Cambia Health Solutions, Inc., Claims Department	Salt Lake City, UT	July 18, 2012.
82,937D	Cambia Health Solutions, Inc., Claims Department	Seattle, WA	July 18, 2012.
82,937E	Cambia Health Solutions, Inc., Claims Department	Tacoma, WA	July 18, 2012.
82,939	Volex, Inc	Hickory, NC	July 29, 2012.

Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criteria under paragraphs(a)(2)(A) (increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA–W No.	Subject firm	Location	Impact date
82,713	Harris Corporate, RF Division, Yoh Services, LLC	Rochester, NY	
82,844	Unilever Manufacturing (US), Inc., North America Ice Cream Division	Huntington, IN	

Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioner has requested that the petition be withdrawn.

TA–W No.	Subject firm	Location	Impact date
82,740	Krystal Infinity LLC	Brea, CA	

I hereby certify that the aforementioned determinations were issued during the period of August 5, 2013 through August 9, 2013. These determinations are available on the Department's Web site *tradeact/taa/taa_search_form.cfm* under the searchable listing of determinations or by calling the Office of trade Adjustment Assistance toll free at 888–365–6822.

Signed at Washington DC, this day of August 14, 2013.

Michael W. Jaffe,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 2013–20812 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA–W) number issued during the period of *July 29, 2013 through August 2, 2013.*

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) there has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

(1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); or

(B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
82,554	Halliburton Company, Halliburton Energy Services, Express	Duncan, OK	March 13, 2012.
82,837	A.A. Laun Furniture Co.	Kiel, WI	June 20, 2012.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
82,780	Novartis Consumer Health, Inc., OTC (Over-The-Counter) Division, Kelly Services.	Lincoln, NE	June 4, 2012.
82,789	Centrinex, LLC, Staffing KC, Grafton, Inc., Allied Staffing, LLC and Staff Point	Lenexa, KS	June 6, 2012.
82,820	Hewitt Associates, LLC, Aon Consulting, Inc., Randstad Staffing	Hunt Valley, MD	June 17, 2012.
82,842	OMSA Inc.	El Paso, TX	June 21, 2012.
82,846	Nautel Maine Inc., Nautel Capital Corporation, Manpower and Springborn Staffing Services.	Bangor, ME	June 24, 2012.
82,848	Prudential Annuities, Annuity Contact Center and New Business Operations, Corporate Brokers.	Shelton, CT	June 26, 2012.
82,848A	Prudential Annuities, Annuity Contact Center and New Business Operations, Corporate Brokers.	Dresher, PA	June 26, 2012.
82,857	Rockwell Automation, Shared Service Center, Allegis	Milwaukee, WI	June 27, 2012.
82,858	Choice Hotels International Services Corp., Choice Hotels Int'l, Inc., Property Support Department.	Phoenix, AZ	June 27, 2012.
82,906	Nidec Motor Corporation, Nidec Motors & Controls Division, Staffmark	Paragould, AR	July 9, 2013.
82,920	Cooper Interconnect, LLC, Eaton Corporation, Aerotek, Adecco and J&J Staffing.	Salem, NJ	July 18, 2012.
82,926	Salter Labs, Roundtable Healthcare Partners, Select Staffing and Kelly Services.	Arvin, CA	July 22, 2012.

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
82,633	AK Steel Corporation, A Subsidiary of AK Steel Holding Corporation	Zanesville, OH	March 21, 2012.
82,935	Chrome Deposit Corporation, Weirton Division	Weirton, WV	July 25, 2012.

Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criterion under paragraph (a)(1), or (b)(1), or (c)(1)(employment decline or threat of separation) of section 222 has not been met.

TA–W No.	Subject firm	Location	Impact date
82,618	Covidien LP, Medical Supplies Global Business Unit, R&D, Covidien PLC	Chicopee, MA.	
82,843	Goodyear Tire & Rubber Company	Union City, TN.	

The investigation revealed that the criteria under paragraphs (a)(2)(A) (increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA–W No.	Subject firm	Location	Impact date
82,644	Westport Shipyard, Inc.	Westport, WA.	
82,644A	Westport Shipyard, Inc.	Hoquiam, WA.	
82,644B	Westport Shipyard, Inc.	Port Angeles, WA.	
82,680	SuperMedia LLC, Publishing Operations Division, Account Management, Dex Media, TAC, etc.	St. Petersburg, FL.	
82,691	Pioneer Industrial Systems, Glasstech Inc	Perrysburg, OH.	

TA–W No.	Subject firm	Location	Impact date
82,706	Excelsior Services Group, Pinnacle Technical Resources, Inc	Richardson, TX.	
82,799	General Dynamics Armament & Technical Products, Inc	Saco, ME.	

Determinations Terminating Investigations Of Petitions For Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioner has requested that the petition be withdrawn.

TA–W No.	Subject firm	Location	Impact date
82,856	Communityone Bank, N.A., Communityone Bank Corp., Loan Services Center f/k/a Bank of Granite.	Granite Falls, NC.	

The following determinations terminating investigations were issued because the petitioning groups of workers are covered by active certifications. Consequently, further investigation in these cases would serve no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

TA–W No.	Subject firm	Location	Impact date
82,904	Dow Jones & Company, Inc., Dow Jones Content Services Division, Factiva, Inc.	Princeton, NJ.	

The following determinations terminating investigations were issued because the petitions are the subject of ongoing investigations under petitions filed earlier covering the same petitioners.

TA–W No.	Subject firm	Location	Impact date
82,940	Volex, Inc.	Fisher, IN.	
82,941	Volex, Inc.	Clinton, AR.	

The following determinations terminating investigations were issued because the Department issued a negative determination on petitions related to the relevant investigation period applicable to the same worker group. The duplicative petitions did not present new information or a change in circumstances that would result in a reversal of the Department's previous negative determination, and therefore, further investigation would duplicate efforts and serve no purpose.

TA–W No.	Subject firm	Location	Impact date
82,765	Pinnacle Technical Resources, Inc., Excelsior Services Group	Richardson, TX.	

I hereby certify that the aforementioned determinations were issued during the period of *July 29, 2013 through August 2, 2013.* These determinations are available on the Department's Web site *tradeact/taa/taa_search_form.cfm* under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888–365–6822.

Signed at Washington, DC this 7th day of August 2013.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20807 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than September 6, 2013.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment

Assistance, at the address shown below, not later than September 6, 2013.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N–5428, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC, this 14th day of August 2013.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

APPENDIX

[10 TAA petitions instituted between 8/5/13 and 8/9/13]

TA–W	Subject firm (petitioners)	Location	Date of institution	Date of petition
82958	Novartis Animal Health US, Inc. (Workers)	Greensboro, NC	08/05/13	08/02/13
82959	Global Resource Services LLC (Company)	Darrington, WA	08/06/13	08/02/13
82960	Schmitt E. G. Inc.,/George Schmitt & Co., Inc. (Company)	Sandston, VA	08/06/13	08/05/13
82961	Cirk Solutions Inc., (State/One-Stop)	Salem, OR	08/06/13	08/05/13
82962	FEARnet (State/One-Stop)	Santa Monica, CA	08/07/13	08/05/13
82963	Bausch & Lomb (State/One-Stop)	Rochester, NY	08/08/13	08/07/13
82964	Easy Way Products Co (State/One-Stop)	Cincinnati, OH	08/08/13	08/07/13
82965	Key City Furniture Company (Company)	Wilkesboro, NC	08/08/13	08/07/13
82966	Kohl's Department Stores, Inc. (Company)	Milwaukee, WI	08/08/13	08/07/13
82967	Johnson Controls, Inc. (Workers)	Erlanger, KY	08/08/13	07/21/13

[FR Doc. 2013–20811 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Eligibility to Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than September 6, 2013.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than September 6, 2013.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N–5428, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC, this 8th day of August 2013.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

APPENDIX

[20 TAA petitions instituted between 7/29/13 and 8/2/13]

TA–W	Subject firm (petitioners)	Location	Date of institution	Date of petition
82938	Webcrafters (State/One-Stop)	Madison, WI	07/29/13	07/26/13
82939	Volex (Company)	Hickory, NC	07/30/13	07/29/13
82940	Volex, Inc. (Company)	Fisher, IN	07/30/13	07/29/13
82941	Volex, Inc. (Company)	Clinton, AR	07/30/13	07/29/13
82942	BuySeasons, Inc. (State/One-Stop)	New Berlin, WI	07/30/13	07/29/13
82943	Pepperidge Farm (Company)	Aiken, SC	07/30/13	07/30/13
82944	Cubic Simulation Systems Division (Company)	Orlando, FL	07/31/13	07/30/13
82945	ITW Paslode (Company)	Covington, TN	07/31/13	07/30/13
82946	Broadcom (State/One-Stop)	Irvine, CA	07/31/13	07/30/13
82947	DCA Cleaning (State/One-Stop)	Springfield, MO	07/31/13	07/30/13
82948	Rosemount Analytical, Inc. (State/One-Stop)	Solon, OH	07/31/13	07/31/13
82949	NBTY, Inc.—IT Workers (Separation Date: December 3, 2012) (State/One-Stop).	Ronkonkoma, NY	08/01/13	07/31/13
82950	Travelers—Upstate NY Claim Center (State/One-Stop)	Albany, NY	08/01/13	07/31/13
82951	ABB, Inc. (Company)	St. Louis, MO	08/01/13	07/30/13
82952	Verizon Business—Wholesale Customer Application Support Team (Workers).	Tulsa, OK	08/02/13	08/01/13
82953	Abbott Laboratories, including on-site leased workers from ATR Int'l (State/One-Stop).	Santa Clara, CA	08/02/13	08/01/13
82954	Blue Lynx Media (Company)	Lewisville, TX	08/02/13	08/01/13
82955	Bank of America (Workers)	Concord, CA	08/02/13	08/01/13

APPENDIX—Continued

[20 TAA petitions instituted between 7/29/13 and 8/2/13]

TA–W	Subject firm (petitioners)	Location	Date of institution	Date of petition
82956	Micron Technology Inc. (State/One-Stop)	Longmont, CO	08/02/13	08/01/13
82957	Tantus Tobacco (State/One-Stop)	Russel Springs, KY	08/02/13	08/01/13

[FR Doc. 2013–20806 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,199]

Regal Beloit Corporation; Springfield, Missouri Division Including On-site Leased Workers From Penmac Personnel Services and GCA Services Group Springfield, Missouri; Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (''Act''), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 18, 2012, applicable to workers of Regal Beloit Corporation, Springfield, Missouri Division, including on-site leased workers from Penmac Personnel Services, Springfield, Missouri. The Department's notice of determination was published in the **Federal Register** on January 4, 2013 (Volume 78, FR page 781).

At the request of a state workforce office, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of contributing parts- rotors, stators, endshields, shells, and shafts for 48Frame NEMA Electrics motors for the HVAC market.

The company reports that workers leased from GCA Services Group were employed on-site at the Springfield, Missouri location of Regal Beloit Corporation, Springfield, Missouri Division. The Department has determined that these workers were sufficiently under the control of the subject firm to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from GCA Services Group working on-site at the Springfield, Missouri location of Regal Beloit Corporation, Springfield, Missouri Division.

The amended notice applicable to TA–W–82,199 is hereby issued as follows:

''All workers of GCA Services Group, reporting to Regal Beloit Corporation, Springfield, Missouri Division, including on-site leased workers from Penmac Personnel Services, Springfield, Missouri, who became totally or partially separated from employment on or after November 30, 2011, through December 18, 2014, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.''

Signed in Washington, DC this 14th day of August, 2013.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20810 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,506F; TS–W–82,506G; TA–W–82,506R]

Experian, Experian US Headquarters: Corporate Departments (Finance, HRMD, Contracts, Corporate Marketing, Global Corporate Systems, Legal & Regulatory, Risk Management, Strategic Business Development and Investor Relations) Credit Services, Global Technology Services (GTS), Experian Automotive, Including On-Site Leased Workers From Tapfin, Manpower and Experis, Costa Mesa, California; Experian, Experian Consumer Direct (Experian Interactive, Consumerinfo.Com), Global Technology Services (GTS), Including On-Site Leased Workers From Tapfin, Manpower and Experis, Costa Mesa, California; Experian, Credit Services, Experian Automotive and Marketing Services, Global Technology Services (GTS), Including On-Site Leased Workers From Tapfin, Manpower and Experis, Schaumburg, Illinois; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (''Act''), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on April 4, 2013, applicable to workers of Experian, Experian Healthcare, (medical Present Value (MPV)—Credit Services and Decision Analytics), Austin, Texas (TA–W–82,506), Experian, Information Technology & Operations, (Data Center and Technical Services, Telecommunications, Network Services, Compliance and Distributed Applications), Allen, Texas (TA–W–82,506A), Experian, Information Technology & Operations, (Data Center and Technical Services, Telecommunications, Network Services, Compliance and Distributed Applications, Allen, Texas (TA–W–82,506B), Experian, Business Information Services, Corporate Marketing, Credit Services, Data

Management, Decision Analytics, Information Technology Services, Marketing Services (Broker Sales and Licensing) and Strategic Alliance, Atlanta, Georgia (TA–W–82,506C), Experian, QAS (Experian Marketing Services), Boston, Massachusetts (TA–W–82,506D), Experian, Decision Analytics, (formerly Baker Hill), Carmel, Indiana (TA–W–82,506E), Experian, Experian US Headquarters: Corporate Departments (finance, HRMD, Contracts, Corporate Marketing, Global Corporate Systems, Legal & Regulatory, Risk Management, Strategic Business Development and Investor Relations), Credit Services, Experian Automotive, Costa Mesa, California (TA–W–82,506F), Experian, Experian Consumer Direct (Experian Interactive, Consumerinfo.Com), Costa Mesa, California (TA–W–82,506G), Experian, Marketing Services, El Segundo, California (TA–W–82,506H), Experian, Marketswitch (Decision Analytics), Herndon, Virginia (TA–W–82,506I), Experian, Experian Healthcare (Searchamerica—Credit Services and Decision Analytics), Maple Grove, Minnesota (TA–W–82,506J), Experian, Marketing Services, New York, New York (TA–W–82,506K), Experian, Global Product & Technology Services, Experian Marketing Services (Experian Simmons), New York, New York (TA–W–82,506L), Experian, Experian Marketing Services, New York, New York (TA–W–82,506M), Experian, Credit Services, Marketing Services, Parsippany, New Jersey (TA–W–82,506N), Experian, Experian Healthcare (Medical Present Value (MPV)—Credit Services and Decision Analytics), Plymouth, Massachusetts (TA–W–82,506O), Experian, Experian Healthcare (Medical Present Value (MPV)—Credit Services and Decision Analytics), San Antonio, Texas (TA–W–82,506P), Experian, Fraud Solutions, Decision Analytics (Decision Solutions & Decision Sciences), San Diego, California (TA–W–82,506Q), and Experian, Credit Services, Experian Automotive and Marketing Services, Schaumburg, Illinois (TA–W–82,506R). The worker groups are engaged in the supply of credit reporting services. The worker groups include on-site leased workers from Tapfin, Manpower and Experis who worked at all locations. The notice was published in the **Federal Register** on April 30, 2013 (78 FR 25306). The notice was amended on May 2, 2013 to include the Oakland CheetahMail Office, Oakland, California location of the subject firm. The notice was published in the **Federal Register** on May 15, 2013 (78 FR 28631–28632)

At the request of a company official, the Department reviewed the certification for workers of the subject firm. Information shows that worker separations occurred during the relevant time period at the Global Technology Services (GTS) unit of Experian, Experian US Headquarters, Costa Mesa, California (TA–W–82,506F) Experian, Experian Consumer Direct (Experian Interactive, Consumerinfo.com), Costa Mesa, California (TA–W–82,506G) and Experian, Schaumburg, Illinois (TA–W–82,506R). The Global Technology Services (GTS) unit supplied various global services for Experian.

Accordingly, the Department is amending the certification to include workers of the Global Technology Services (GTS) unit of Experian located at the above mentioned facilities.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by a shift in services of credit reporting services to a foreign country.

The amended notice applicable to TA–W–82,506 (A–S) is hereby issued as follows:

All workers from Experian, Experian Healthcare, (medical Present Value (MPV)—Credit Services and Decision Analytics), including on-site leased workers Tapfin, Manpower and Experis, Austin, Texas (TA–W–82,506), Experian, Information Technology & Operations, (Data Center and Technical Services, Telecommunications, Network Services, Compliance and Distributed Applications), including on-site leased workers from Tapfin, Manpower and Experis, Allen, Texas (TA–W–82,506A), Experian, Information Technology & Operations, (Data Center and Technical Services, Telecommunications, Network Services, Compliance and Distributed Applications, including on-site leased workers from Tapfin, Manpower and Experis, Allen, Texas (TA–W–82,506B), Experian, Business Information Services, Corporate Marketing, Credit Services, Data Management, Decision Analytics, Information Technology Services, Marketing Services (Broker Sales and Licensing) and Strategic Alliance, including on-site leased workers from Tapfin, Manpower and Experis, Atlanta, Georgia (TA–W–82,506C), Experian, QAS (Experian Marketing Services), including on-site leased workers from Tapfin, Manpower and Experis, Boston, Massachusetts (TA–W–82,506D), Experian, Decision Analytics, (formerly Baker Hill), including on-site leased workers from Tapfin, Manpower and Experis, Carmel, Indiana (TA–W–82,506E), Experian, Experian US Headquarters: Corporate Departments (finance, HRMD, Contracts, Corporate Marketing, Global Corporate Systems, Legal & Regulatory, Risk Management, Strategic Business Development and Investor Relations), Credit Services, Global Technology Services (GTS), Experian Automotive, including on-site leased workers from Tapfin, Manpower and Experis, Costa Mesa, California (TA–W–82,506F), Experian, Experian Consumer Direct (Experian Interactive, Consumerinfo.Com), Global Technology Services (GTS), including on-site leased workers from Tapfin, Manpower and Experis, Costa Mesa, California (TA–W–82,506G), Experian, Marketing Services, including on-site leased workers from Tapfin, Manpower and Experis, El Segundo, California (TA–W–82,506H), Experian, Marketswitch (Decision Analytics), including on-site leased workers from Tapfin, Manpower and Experis, Herndon, Virginia (TA–W–82,506I), Experian, Experian Healthcare (Searchamerica—Credit Services and Decision Analytics), including on-site leased workers from Tapfin, Manpower and Experis, Maple Grove, Minnesota (TA–W–82,506J), Experian, Marketing Services, including on-site leased workers from Tapfin, Manpower and Experis, New York, New York (TA–W–82,506K), Experian, Global Product & Technology Services, Experian Marketing Services (Experian Simmons), including on-site leased workers from Tapfin, Manpower and Experis, New York, New York (TA–W–82,506L), Experian, Experian Marketing Services, including on-site leased workers from Tapfin, Manpower and Experis, New York, New York (TA–W–82,506M), Experian, Credit Services, Marketing Services, including on-site leased workers from Tapfin, Manpower and Experis, Parsippany, New Jersey (TA–W–82,506N), Experian, Experian Healthcare (Medical Present Value (MPV)—Credit Services and Decision Analytics), including on-site leased workers from Tapfin, Manpower and Experis, Plymouth, Massachusetts (TA–W–82,506O), Experian, Experian Healthcare (Medical Present Value (MPV)—Credit Services and Decision Analytics), including on-site leased workers from Tapfin, Manpower and Experis, San Antonio, Texas (TA–W–82,506P), Experian, Fraud Solutions, Decision Analytics (Decision Solutions & Decision Sciences), including on-site leased workers from Tapfin, Manpower and Experis, San Diego, California (TA–W–82,506Q), and Experian, Credit Services, Experian Automotive and Marketing Services, Global Technology Services (GTS), including on-site leased workers from Tapfin, Manpower and Experis, Schaumburg, Illinois (TA–W–82,506R), Experian, Oakland CheetahMail Office, including on-site leased workers from Tapfin, Manpower and Experis, Oakland, California (TA–W–82,506S), who became totally or partially separated from employment on or after February 26, 2012 through April 4, 2015, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 7th day of August 2013.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20809 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,440]

Stone Age Interiors, Inc.; d/b/a Colorado Springs Marble and Granite Including On-Site Leased Workers From Express Employment Professionals Colorado Springs, Colorado; Notice of Revised Determination on Reconsideration

On June 7, 2013, the Department of Labor (Department) issued a Notice of Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of Stone Age Interiors, Inc., d/b/a Colorado Springs Marble and Granite, Colorado Springs, Colorado (hereafter collectively referred to as either ''Stone Age Interiors'' or ''subject firm''). The subject firm is engaged in activities related to the production of finished stone fabrication products. The workers are not separately identifiable by product line.

The subject worker group includes on-site leased workers from Express Employment Professionals.

Based on a careful review of previously-submitted information and additional information obtained during the reconsideration investigation, the Department determines that the petitioning worker group, including on-site leased workers, has met the eligibility criteria set forth in the Trade Act of 1974, as amended.

Section 222(a)(1) has been met because a significant number or proportion of the workers at Stone Age Interiors have become totally or partially separated, or are threatened with such separation.

Section 222(a)(2)(A)(i) has been met because Stone Age Interiors sales and/or production of finished stone fabrication products have decreased.

Section 222(a)(2)(A)(ii) has been met because aggregate imports of articles like or directly competitive with the finished stone fabrication products produced by Stone Age Interiors have increased during the relevant period.

Finally, Section 222(a)(2)(A)(iii) has been met because increased imports contributed importantly to the worker group separations and sales/production declines at Stone Age Interiors.

Conclusion

After careful review of previously-submitted facts and the additional facts obtained during the reconsideration investigation, I determine that workers of Stone Age Interiors, Inc., d/b/a Colorado Springs Marble and Granite, including on-site leased workers from Express Employment Professionals, Colorado Springs, Colorado, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of Stone Age Interiors, Inc., d/b/a Colorado Springs Marble and Granite, including on-site leased workers from Express Employment Professionals, Colorado Springs, Colorado, who became totally or partially separated from employment on or after February 9, 2012, through two years from the date of this certification, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed in Washington, DC, this day of August 13, 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–20813 Filed 8–26–13; 8:45 am]

BILLING CODE 4510–FN–P

MILLENNIUM CHALLENGE CORPORATION

[MCC FR 13–05]

Report on Countries That Are Candidates for Millennium Challenge Account Eligibility in Fiscal Year 2014 and Countries That Would Be Candidates But For Legal Prohibitions

AGENCY: Millennium Challenge Corporation.

ACTION: Notice.

SUMMARY: Section 608(d) of the Millennium Challenge Act of 2003 requires the Millennium Challenge Corporation to publish a report that identifies countries that are ''candidate countries'' for Millennium Challenge Account assistance during FY 2014. The report is set forth in full below.

Dated: August 22, 2013.

Melvin F. Williams, Jr.,

VP/General Counsel and Corporate Secretary, Millennium Challenge Corporation.

Report on Countries That Are Candidates for Millennium Challenge Account Eligibility for Fiscal Year 2014 and Countries That Would Be Candidates but for Legal Prohibitions

Summary

This report to Congress is provided in accordance with section 608(a) of the Millennium Challenge Act of 2003, as amended, 22 U.S.C. 7701, 7707(a) (the Act).

The Act authorizes the provision of Millennium Challenge Account (MCA) assistance for countries that enter into a Millennium Challenge Compact with the United States to support policies and programs that advance the progress of such countries to achieve lasting economic growth and poverty reduction. The Act requires the Millennium Challenge Corporation (MCC) to take a number of steps in selecting countries with which MCC will seek to enter into a compact, including (a) determining the countries that will be eligible for MCA assistance for fiscal year (FY) 2014 based on a country's demonstrated commitment to (i) just and democratic governance, (ii) economic freedom, and (iii) investments in its people; and (b) considering the opportunity to reduce poverty and generate economic growth in the country. These steps include the submission of reports to the congressional committees specified in the Act and the publication of notices in the **Federal Register** that identify:

The countries that are ''candidate countries'' for MCA assistance for FY 2014 based on their per capita income levels and their eligibility to receive assistance under U.S. law and countries that would be candidate countries but for specified legal prohibitions on assistance (section 608(a) of the Act);

The criteria and methodology that the MCC Board of Directors (Board) will use to measure and evaluate the relative policy performance of the ''candidate countries'' consistent with the requirements of subsections (a) and (b) of section 607 of the Act in order to determine ''eligible countries'' from among the ''candidate countries'' (section 608(b) of the Act); and

The list of countries determined by the Board to be ''eligible countries'' for FY 2014, identification of such countries with which the Board will seek to enter into compacts, and a justification for such eligibility determination and selection for compact negotiation (section 608(d) of the Act).

This report is the first of three required reports listed above.

Candidate Countries for FY 2014

The Act requires the identification of all countries that are candidates for MCA assistance for FY 2014 and the identification of all countries that would be candidate countries but for specified legal prohibitions on assistance. Under the terms of the Act, sections 606(a) and (b) set forth the two income tests countries must satisfy to be candidates

for MCA assistance.[1] However for FY 2013, those categories were redefined by MCC's FY 2013 appropriations act, the Full-Year Continuing Appropriations Act, 2013, which was enacted as Division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Pub. L. 113–6), and became effective March 26, 2013 (the FY 2013 Appropriations Act). Specifically, the FY 2013 Appropriations Act used the same definitions that were used in the FY 2012 appropriations act and defines low income candidate countries as the 75 poorest countries as identified by the World Bank and provided that a country that changes during the fiscal year from low income to lower middle income (or vice versa) will retain its candidacy status in its former income category for the fiscal year and two subsequent fiscal years. Assuming these definitions will be used again in FY 2014, MCC is using them for purposes of this report.[2]

Under the redefined categories, a country will be a candidate for MCA assistance for FY 2014 if it:

Meets one of the following tests:

Has a per capita income that is not greater than the World Bank's lower middle income country threshold for such fiscal year ($4,085 GNI per capita for FY 2014); and is among the 75 lowest per capita income countries, as identified by the World Bank; or

Has a per capita income that is not greater than the World Bank's lower middle income country threshold for such fiscal year ($4,085 GNI per capita for FY 2014); but is *not* among the 75 lowest per capita income countries as identified by the World Bank; and

Is not ineligible to receive U.S. economic assistance under part I of the Foreign Assistance Act of 1961, as amended (the Foreign Assistance Act), by reason of the application of the Foreign Assistance Act or any other provision of law.

Due to the provisions requiring countries to retain their former income classification for three fiscal years, changes from the low income to lower middle income categories or vice versa for FY 2014 will go into effect for FY 2017. Countries transitioning to the upper middle income category do not retain their former income classification.[3]

Pursuant to section 606(c) of the Act, the Board identified the following countries as candidate countries under the Act for FY 2014. In so doing, the Board referred to the prohibitions on assistance to countries for FY 2013 under the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012, Pub. L. 112–74, Div. I. (the SFOAA), as carried forward by the FY 2013 Appropriations Act.

Candidate Countries: Low Income Category

Afghanistan
Bangladesh
Benin
Bhutan
Bolivia
Burkina Faso
Burundi
Cambodia
Chad
Comoros
Congo, Democratic Republic of
Cote d'Ivoire
Djibouti
Egypt[4]
Ethiopia
Georgia
Ghana
Guatemala
Guinea
Haiti
Honduras
India
Indonesia
Kenya
Kiribati
Kyrgyz Republic
Laos
Lesotho
Liberia
Malawi
Mauritania
Micronesia
Moldova
Mongolia
Mozambique
Nepal
Niger
Nigeria
Pakistan
Papua New Guinea
Philippines
Rwanda
Sao Tome and Principe
Senegal
Sierra Leone
Solomon Islands
Somalia
South Sudan
Sri Lanka
Tajikistan
Tanzania
Timor-Leste
Togo
Uganda
Uzbekistan
Vanuatu
Vietnam
Yemen
Zambia

Candidate Countries: Lower Middle Income Category

Armenia
Cape Verde
El Salvador
Guyana
Kosovo
Morocco
Paraguay
Samoa
Ukraine

Countries That Would Be Candidate Countries but for Legal Provisions That Prohibit Assistance

Countries that would be considered candidate countries for FY 2014, but are ineligible to receive United States economic assistance under part I of the Foreign Assistance Act by reason of the application of any provision of the Foreign Assistance Act or any other provision of law are listed below. This list is based on legal prohibitions against economic assistance that apply as of August 16, 2013. All section references below are to the SFOAA, unless another statue is identified.

Prohibited Countries: Low Income Category

Burma is subject to restrictions, including but not limited to section 570 of the FY 1997 Foreign Operations, Export Financing, and Related Programs Appropriations Act (P.L. 104–208), which prohibits assistance to the government of Burma until it makes measurable and substantial progress in

[1] Sections 606(a) and (b) of the Act provide that a country will be a candidate for MCA assistance if it (1) has a per capita income equal to or less than the historical ceiling of the International Development Association eligibility for the fiscal year involved (the ''low income category'') or (2) is classified as a lower middle income country in the then most recent edition of the World Development Report for Reconstruction and Development published by the International Bank for Reconstruction and Development and has an income greater than the historical ceiling for International Development Association eligibility for the fiscal year involved (the ''lower middle income category''); and is not ineligible to receive U.S. economic assistance under part I of the Foreign Assistance Act of 1961, as amended (the Foreign Assistance Act), by reason of the application of the Foreign Assistance Act or any other provision of law.

[2] If the language relating to the definition of low income candidate countries is not enacted or is changed for MCC's FY 2014 appropriations act, MCC will revisit the selection process once the FY 2014 appropriations act is enacted and will conduct the selection process in accordance with the Act and applicable provisions for FY 2014.

[3] In FY 2014, the World Bank revised its estimates for Iraq's gross domestic product per capita and more than doubled its previous estimate. This caused Iraq to transition from a low income country to an upper middle income country without the benefit of gradual reclassification. The removal of Iraq from the both the low income and lower middle income categories means that, as a result, there are only 74 low income countries for FY 2014.

[4] MCA assistance to Egypt would be provided to the extent it is deemed to be consistent with the law.

improving human rights practices and implementing democratic government.

Cameroon is subject to section 7031(b) regarding budget transparency.

Central African Republic is subject to section 7031(b) regarding budget transparency.

Congo, Republic of the, is subject to section 7031(b) regarding budget transparency.

Eritrea is subject to restrictions due to its status as a Tier III country under the Trafficking Victims Protection Act, as amended, 22 U.S.C. sections 7101 et seq.

Gambia, The is subject to section 7031(b) regarding budget transparency.

Guinea-Bissau is subject to section 7008, which prohibits assistance to the government of a country whose duly elected head of government is deposed by military coup or decree.

Madagascar is subject to section 7008, which prohibits assistance to the government of a country whose duly elected head of government is deposed by military coup or decree and also section 7031(b) regarding budget transparency.

Mali is subject to section 7008, which prohibits assistance to the government of a country whose duly elected head of government is deposed by military coup or decree.

Nicaragua is subject to section 7031(b) regarding budget transparency.

North Korea is subject to numerous restrictions, including section 7007, which prohibits any direct assistance to the government.

Sudan is subject to numerous restrictions, including but not limited to section 620A of the Foreign Assistance Act which prohibits assistance to governments supporting international terrorism, section 7012 of the SFOAA and section 620(q) of the Foreign Assistance Act, both of which prohibit assistance to countries in default in payment to the U.S. in certain circumstances, section 7008, which prohibits assistance to the government of a country whose duly elected head of government is deposed by military coup or decree, and section 7043(f).

Swaziland is subject to section 7031(b) regarding budget transparency.

Syria is subject to numerous restrictions, including but not limited to 620A of the Foreign Assistance Act which prohibits assistance to governments supporting international terrorism, section 7007 of the SFOAA which prohibits direct assistance, and section 7012 of the SFOAA and section 620(q) of the Foreign Assistance Act, both of which prohibit assistance to countries in default in payment to the U.S. in certain circumstances.

Zimbabwe is subject to several restrictions, including section 7043(j)(2), which prohibits assistance (except for macroeconomic growth assistance) to the central government of Zimbabwe, unless the Secretary of State determines and reports to Congress that the rule of law has been restored in Zimbabwe.

Countries identified above as candidate countries, as well as countries that would be considered candidate countries but for the applicability of legal provisions that prohibit U.S. economic assistance, may be the subject of future statutory restrictions or determinations, or changed country circumstances, that affect their legal eligibility for assistance under part I of the Foreign Assistance Act by reason of application of the Foreign Assistance Act or any other provision of law for FY 2014.

[FR Doc. 2013–20895 Filed 8–22–13; 4:15 pm]

BILLING CODE 9211–03–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

Notice: (13–090).

ACTION: Notice of information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3506(c)(2)(A)).

DATES: All comments should be submitted within 60 calendar days from the date of this publication.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503. Attention: Desk Officer for the Office of NASA.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA Clearance Officer, NASA Headquarters, 300 E Street SW., JF000, Washington, DC 20546, *Frances.C.Teel@nasa.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

This collection of information supports the National Aeronautics and Space Act of 1958, as amended, to create opportunities to improve processes associated with the evaluation and selection of individuals to participate in the NASA Astronaut Candidate Selection Program. The NASA Astronaut Selection Office (ASO) located at the Lyndon B. Johnson Space Center (JSC) in Houston, Texas is responsible for selecting astronauts for the various United States Space Exploration programs. In evaluating an applicant for the Astronaut Candidate Program, it is important that the ASO have the benefit of qualitative and quantitative information and recommendations from persons who have been directly associated with the applicant over the course of their career.

This information will be used by the NASA ASO and Human Resources (HR) personnel, during the candidate selection process (approx. 2 year duration), to gain insight into the candidates' work ethic and professionalism as demonstrated in previous related employment activities. Respondents may include the astronaut candidate's previous employer(s)/direct-reporting manager, as well as co-workers and other references provided by the candidate.

II. Method of Collection

Electronic and optionally by paper

III. Data

Title: NASA Astronaut Candidate Selection (ASCAN) Qualifications Inquiry.

OMB Number: 2700–XXXX.

Type of review: Existing Collection without OMB Approval.

Affected Public: Individuals.

Estimated Number of Respondents: 2,250.

Estimated Time per Response: 0.33 hours (20 minutes).

Estimated Total Annual Burden Hours: 750.

Estimated Total Annual Cost: $50,805.00.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the

burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2013–20894 Filed 8–26–13; 8:45 am]

BILLING CODE 7510–13–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–286; NRC–2013–0063]

Entergy Nuclear Operations, Inc., Indian Point Nuclear Generating Unit 3

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has concluded that existing exemptions from its regulations, ''Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979,'' for Fire Areas ETN–4 and PAB–2, issued to Entergy Nuclear Operations, Inc. (the licensee), for operation of Indian Point Nuclear Generating Unit 3 (Indian Point 3), located in Westchester County, NY, will remain as originally granted and will not be modified.

ADDRESSES: Please refer to Docket ID NRC–2013–0063 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0063. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''*Begin Web-based ADAMS Search.''* For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Douglas V. Pickett, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1364; email: *Douglas.Pickett@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On July 24, 2006, Indian Point 3 submitted exemption requests from part 50 to Title 10 of the *Code of Federal Regulations* (10 CFR), appendix R, section III.G.2, for a one-hour rating fire barrier. On September 28, 2007 (72 FR 55254), the NRC issued the exemptions. As required by 10 CFR 51.21, the NRC prepared an Environmental Assessment (EA) and a finding of no significant impact (FONSI). The EA on the impacts of the exemptions and FONSI were published in the **Federal Register** (FR) on the same day the exemptions were issued. The exemptions were then implemented at Indian Point Unit 3. A draft EA/FONSI for public comment was not issued for this licensing action.

In 2007, Mr. Richard Brodsky, then a New York State Assemblyman, and others (the petitioners) petitioned the NRC to hold a public hearing before granting the exemptions. The NRC denied Mr. Brodsky's petition. In 2008, the petitioners filed suit in the U.S. Court of Appeals for the Second Circuit, challenging the NRC's denial of a hearing. On August 27, 2009, the Court of Appeals denied the suit for lack of jurisdiction, but afforded the petitioners an opportunity to refile their claims in the U.S. District Court (ADAMS Accession No. ML092610050). In 2011, the U.S. District Court for the Southern District of New York granted the NRC summary judgment on the refiled claims, finding no violation of the Administrative Procedure Act (APA), the Atomic Energy Act (AEA), or the National Environmental Policy Act (NEPA) in the denial of a hearing on the exemption (ADAMS Accession No. ML110660214). The petitioners then sought review of that decision in the U.S. Court of Appeals for the Second Circuit.

On January 7, 2013, the Second Circuit reversed and vacated the U.S. District Court decision with respect to public participation on the EA and FONSI issued in support of the exemptions (ADAMS Accession No. ML13199A023). All other aspects of the U.S. District Court decision were upheld as described in the Second Circuit's Summary Order (ADAMS Accession No. ML13164A362). The Circuit Court remanded the case to the District Court ''with instructions for it in turn to remand to the NRC so that the agency may: (1) Supplement the administrative record to explain why allowing public input into the exemption request was inappropriate or impracticable, or (2) take other such action as it may deem appropriate to resolve this issue.'' The Court directed that proceedings were to be concluded within 120 days of the Mandate, which was issued on March 1, 2013.

In response to the Mandate of the U.S. Court of Appeals, on April 3, 2013 (78 FR 20144), a **Federal Register** notice was published seeking public comment, pursuant to 10 CFR 51.33, for a draft EA and FONSI. Due to requests from the public to extend the comment period, on May 7, 2013 (78 FR 26662), a **Federal Register** notice was published that extended the public comment period to June 3, 2013. In light of this extension, the NRC sought and the Court of Appeals granted an extension until August 30, 2013, to complete its actions.

II. Environmental Assessment

Identification of the Proposed Action

The proposed action would revise the January 7, 1987, safety evaluation to reflect that the installed Hemyc electrical raceway fire barrier system (ERFBS) configurations provide either a 30-minute fire resistance rating, or in one case a 24-minute fire resistance rating, in lieu of the previously stated one-hour fire resistance rating. The licensee states that a Hemyc ERFBS fire resistance rating will provide sufficient protection for the affected raceways, with adequate margin, to continue to meet the intent of the original requests for exemption and conclusions presented in the NRC's January 7, 1987, safety evaluation. The licensee concludes that the revised fire resistance rating of the Hemyc ERFBS does not reflect a reduction in overall fire safety, and presents no added challenge to the credited post-fire safe-shutdown capability which remains materially unchanged from the configuration originally described in

previous letters and as credited in the January 7, 1987, safety evaluation.

The proposed action is in accordance with the licensee's application dated July 24, 2006, as supplemented by letters dated April 30 (ADAMS Accession No. ML071280504), May 23 (ADAMS Accession No. ML071520177), and August 16, 2007 (ADAMS Accession No. ML072400369).

The Need for the Proposed Action

The proposed revision of existing exemptions from 10 CFR part 50, appendix R, is needed in response to NRC Information Notice 2005–07, Results of Hemyc Electrical Raceway Fire Barrier System Full Scale Fire Testing, dated April 1, 2005 (ADAMS Accession No. ML050890089). The information notice provided to licensees the details of Hemyc ERFBS full-scale fire tests conducted by the NRC's Office of Nuclear Regulatory Research. The test results concluded that the Hemyc ERFBS does not provide the level of protection expected for an one-hour rated fire barrier, as originally designed. The proposed revision to existing exemptions would revise the fire resistance rating of Hemyc ERFBS configurations.

Environmental Impacts of the Proposed Action

The NRC has completed its safety evaluation of the proposed action and concludes that the configuration of the fire zones under review provides reasonable assurance that a severe fire is not plausible and the existing fire protection features are adequate. Based on the presence of redundant safe-shutdown trains, minimal fire hazards and combustibles, automatic cable tray fire suppression system, manual fire suppression features, fire barrier protection, existing Hemyc configuration, and the installed smoke detection system, the NRC staff finds that the use of this Hemyc fire barrier in these zones will not significantly increase the consequences from a fire in these fire zones.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no significant increase in the amount of any effluent released offsite. There is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC staff concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC staff considered denial of the proposed action (i.e., the ''no-action'' alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for Indian Point 3, dated February 1975.

Agencies and Persons Consulted

Development of this EA/FONSI did not result in consultation.

Comments

The NRC received 135 submissions containing comments from interested members of the public, organizations, and the State of New York. The majority of these comments expressed opposition to the granting of the requested exemptions, and many commenters suggested that the NRC prepare an environmental impact statement (EIS) and convene a formal evidentiary hearing or other form of public hearing to consider the matter. Many of the commenters were concerned that granting the exemptions could result in a degradation of fire protection levels afforded by current regulatory requirements that would leave the licensee unable to respond to a serious fire and result in catastrophic offsite consequences.

Each comment was carefully reviewed by the NRC staff. In this document, the NRC has responded to the various comments received by category. However, many comments received did not fall into the broader categories discussed in this document and were outside the scope of the draft EA, which deals strictly with the environmental impacts of granting the exemption. These comments are not addressed in this document, but the NRC has responded to all comments received in a separate comment resolution document (ADAMS Accession No. ML13203A145).

Legal Objections and Request for Hearing

Some commenters questioned whether the NRC has the authority to grant exemptions from its regulations, whether the NRC has complied with each applicable statute, and whether the NRC may grant permanent exemptions. These questions have recently been addressed by the U.S. District Court for the Southern District of New York and, on appeal by the U.S. Court of Appeals for the Second Circuit. These courts upheld the agency's authority and statutory compliance in these respects, except in the case of NEPA's requirement for an opportunity for public participation on the proposed exemptions. (*Brodsky* v. *NRC,* 783 F. Supp. 2d 448, 457 n.7 (S.D.N.Y. 2011), *vacated in part on other grounds,* 704 F.3d 113 (2d Cir. 2013); *Brodsky* v. *NRC,* No. 11–2016–cv, ''Summary Order'' (2d Cir. Jan. 7, 2013)). That noncompliance was corrected by the **Federal Register** issuance of the draft EA and FONSI for public comments.

The NRC is denying the commenters' request for a hearing. Neither the AEA nor the NRC's regulations grant the right to a hearing on an application for an exemption. (42 U.S.C. 2239(a); *Kelley* v. *Selin,* 42 F.3d 1501, 1514–17 (6th Cir. 1995); *Massachusetts* v. *NRC,* 878 F.2d 1516, 1521 (1st Cir. 1989)). Moreover, in the Summary Order for *Brodsky* v. *NRC,* the U.S. Court of Appeals for the Second Circuit recently rejected the argument that the AEA or the APA requires the NRC to hold a hearing on granting an exemption.

Safety Objections

A number of commenters questioned the NRC's technical judgment that the exemptions to the fire protection requirements of 10 CFR 50.48 and appendix R, section III.G.2, would afford equivalent protection of public health and safety in the event of a fire in the two affected areas of the plant for which exemptions had been proposed. One commenter stated that a fire lasting beyond the 24-minute fire rating of the Hemyc fire barrier would result in a reactor meltdown. Other commenters expressed concern whether the exemptions present an undue risk to the public health and safety, would compromise the AEC standard of ''reasonable assurance'' for the safety of plant operations, or would degrade the plant's margin of safety.

However worded, these concerns are beyond the scope of the NRC's notice of opportunity to comment on the draft EA

and FONSI, which deal strictly with the environmental impacts of granting the exemptions. Safety issues, on the other hand, pertain to the NRC's responsibilities under the AEA. As noted, the AEA does not require a hearing on the agency's consideration of an exemption. Moreover, to the extent that the NRC's technical judgment on these safety concerns is judicially reviewable, the U.S. Court of Appeals for the Second Circuit has concluded: ''After reviewing the administrative record, it is apparent that the Commission conducted a detailed evaluation, considered the factors listed in the specific regulations and in the end acted reasonably. . . . This is a case where deference to the substantive decision of the Commission, as it relates to nuclear safety, is warranted.'' The remand by the Second Circuit to allow public participation on environmental concerns did not envision a second round of safety analysis. Nonetheless, to the extent practicable, the NRC has responded to safety concerns expressed by commenters in the comment resolution document.

Risk of Terrorism and Other Low-Probability, High-Consequence Events

Many comments raised the specter of a terrorist attack or other event that would defeat the Indian Point 3 defense-in-depth fire protection measures in place at the two affected fire areas for which exemptions have been granted. These commenters were concerned that a severe fire caused by these events could result in a loss of reactor safe shutdown capability and serious offsite consequences. As explained in this document, however, issues relating to terrorism and other low-probability, high-consequence events are beyond the scope of the EA and FONSI.

Acts of terrorism are inherently unpredictable and stochastic and, therefore, are not separately considered in preparing the NRC's environmental analyses. The NRC has, therefore, determined that NEPA ''imposes no legal duty on the NRC to consider intentional malevolent acts'' because those acts are ''too far removed from the natural or expected consequences of agency action.'' (*Amergen Energy Co. LLC* (Oyster Creek Nuclear Generating Station), CLI–07–8, 65 NRC 124, 128 (2007), *aff'd, New Jersey Dep't of Envtl. Prot.* v. *NRC,* 561 F.3d 132 (3d Cir. 2009)).[1]

Although the inherent uncertainty of terrorism precludes reliably quantifying the likelihood of a terrorist attack, under credible threat conditions assumed by the NRC, the probability of such an attack is believed to be low. To provide high assurance that a terrorist act will not lead to significant radiological consequences, the NRC has analyzed plausible threat scenarios and has defined, by regulation, a Design Basis Threat of radiological sabotage in 10 CFR 73.1 that licensees must protect against. Aside from the Design Basis Threat of radiological sabotage, the NRC has also established new physical protection requirements in 10 CFR 73.55 to protect against radiological sabotage as well as requirements for safety/security interface in 10 CFR 73.58, potential aircraft threats in 10 CFR 50.54(hh)(1), and the loss of large areas of the plant due to explosions and/or fire to mitigate potential consequences for these threat scenarios as well as accident scenarios with similar radiological consequences in 10 CFR 50.54(hh)(2). Each of these protective and mitigation measures has been taken without regard to the probability of an attack. The NRC's approach is consistent with NEPA. As the Third Circuit has held, ''precautionary actions to guard against a particular risk do not trigger a duty to perform a NEPA analysis.''

Whether resulting from a terrorist attack or some internally-initiated event, the NRC staff determined from its independent safety evaluation of the licensee's proposal that the configuration of the fire zones under review provide reasonable assurance that a severe fire is not plausible and the existing fire protection features are adequate. From this and related findings, the NRC concluded that the proposed action would not significantly increase the probability or consequences of accidents. This finding renders a severe fire in the affected areas resulting from granting the exemptions, however initiated or whatever its consequences, so unlikely as not to require further environmental analysis. (*New York* v. *NRC,* 589 F.3d 551, 554 n.1 (D.C. Cir. 2009)).

Alternatives to the Proposed Action

Some commenters claimed that the NRC did not consider denying the exemptions and requiring compliance with 10 CFR part 50, appendix R, section III.G.2, or some other alternative. In fact, the NRC did consider the alternative of denying the exemption requests. The **Federal Register** notice for the EA and FONSI stated clearly that the ''no action'' alternative would involve the ''denial of the proposed action'' (*i.e.,* the denial of this exemption request). A necessary and implicit aspect of the ''no action'' alternative would be requiring the licensee to comply with 10 CFR part 50, appendix R.

The NRC determined, however, that denial of the exemption requests would result in no change in current environmental impacts, and that the environmental impacts of denying the exemption requests or approving the requested exemptions are similar. Thus, the NRC has considered imposing a requirement that the fire insulation be upgraded to meet the one-hour requirement in 10 CFR part 50, appendix R. Moreover, consideration of requiring the licensee to comply with the one-hour barrier requirement necessarily bounds any period less than one-hour, i.e, a fixed period not tied to Hemyc test results. In any event, ''the range of alternatives an agency must consider is narrower when, as here, the agency has found that a project will not have a significant environmental impact.'' (*Friends of the Ompompanoosuc* v. *FERC,* 968 F.2d 1549, 1558 (2d Cir. 1992); *City of New York* v. *DOT,* 715 F.2d 732, 744 (2d Cir. 1983)).

Compilation of the Record for Granting the Exemptions

Several commenters suggested that the NRC had not considered categories of relevant documents or specific documents relating to Indian Point 3 or fire protection issues. The NRC staff reviewed all information supplied by the licensee and commenters in accordance with 10 CFR 50.12 and appropriate guidance and engineering judgment in granting the exemptions. The commenters, however, have either failed to identify specific documents not considered by the NRC or have failed to demonstrate the relevance or probative value of specific documents they have cited. On this point, the Second Circuit recently found that one commenter's failure to demonstrate that specific ''documents are in fact relevant or probative'' was fatal to the individual's claim that the NRC improperly failed to consider specific documents.

NRC's Adoption of a New Categorical Exclusion for Exemptions

Some commenters questioned whether the NRC has applied or relied upon the recently revised provisions of 10 CFR 51.22(c)(9) in granting the exemptions. These provisions categorically exclude certain qualifying exemptions from environmental review, such as the review given the exemptions in this instance. These new provisions,

[1] The NRC acknowledges that a split in the circuit courts exist on this point, *see San Luis Obispo Mothers for Peace* v. *NRC,* 449 F.3d 1016 (9th Cir. 2006), but adheres to its position, outside of the Ninth Circuit, that NEPA does not require consideration of terrorists attacks.

however, were adopted after 2007, when the exemptions at issue were initially granted. Consequently, the new provisions played no part in the NRC's decision-making on the current decision to grant the exemptions.

Publication of the draft EA and FONSI for the requested exemptions included a brief discussion of this regulatory amendment to inform the public of a topically-relevant change in the NRC's regulations occurring since the NRC approved the requested exemptions in 2007 (78 FR 20144: April 3, 2013). The NRC included this information because these changes will be relevant to future exemption requests, but did not suggest that 10 CFR 51.22(c)(9) applies to the requested exemptions. Moreover, the NRC observed in the discussion that ''[a]lthough NRC approval of exemptions that meet the criteria of this section no longer require preparation of an EA/FONSI, the NRC retains discretion to prepare an EA and FONSI, including an opportunity for public comment, where special circumstances exist.'' Finally, we note that the NRC recently published an editorial correction to 10 CFR 51.22(c)(9) (78 FR 34245: June 7, 2013) to clarify that this provision categorically excludes certain kinds of stand-alone exemptions from environmental review, not just exemptions issued as a license amendment.

III. Finding of No Significant Impact

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letters dated July 24, 2006, April 30, 2007, May 23, 2007, and August 16, 2007 (ADAMS Accession Nos. ML062140057, ML071280504, ML071520177, ML072400369, respectively); the EA and FONSI, dated September 24, 2007 (ADAMS Accession No. ML072110018); the NRC letter dated September 28, 2007, approving the exemption (ADAMS Accession No. ML072410254); and the draft EA and FONSI, dated March 26, 2013 (ADAMS Accession No. ML13066A275).

Dated at Rockville, Maryland, this 19th day of August 2013.

For the Nuclear Regulatory Commission.

Michele G. Evans,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2013–20703 Filed 8–26–13; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Sunshine Act Meetings Notice

AGENCY HOLDING THE MEETINGS: Nuclear Regulatory Commission, [NRC–2013–0001].

DATE: Weeks of August 26, September 2, 9, 16, 23, 30, 2013.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of August 26, 2013

Monday August 26, 2013

2:00 p.m. Discussion of Management and Personnel Issues (Closed—Ex. 2 and 6).

Tuesday, August 27, 2013

9:00 a.m. Briefing on NRC's Construction Activities (Public Meeting) (Contact: Michelle Hayes, 301–415–8375).

This meeting will be webcast live at the Web address—*www.nrc.gov*.

3:00 p.m. Briefing on NRC International Activities (Closed—Ex. 1 & 9) (Contact: Karen Henderson, 301–415–0202).

Week of September 2, 2013—Tentative

There are no meetings scheduled for the week of September 2, 2013.

Week of September 9, 2013—Tentative

There are no meetings scheduled for the week of September 9, 2013.

Week of September 16, 2013—Tentative

There are no meetings scheduled for the week of September 16, 2013.

Week of September 23, 2013—Tentative

There are no meetings scheduled for the week of September 23, 2013.

Week of September 30, 2013—Tentative

There are no meetings scheduled for the week of September 30, 2013.

* * * * *

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—301–415–1292. Contact person for more information: Rochelle Bavol, 301–415–1651.

* * * * *

The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/public-involve/public-meetings/schedule.html*.

* * * * *

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0727, or by email at *kimberly.meyer-chambers@nrc.gov*. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301–415–1969), or send an email to *darlene.wright@nrc.gov*.

Dated: August 22, 2013.

Rochelle C. Bavol,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2013–20972 Filed 8–23–13; 4:15 pm]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold a Closed Meeting on Thursday, August 29, 2013 at 2:00 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Aguilar, as duty officer, voted to consider the items listed for the Closed Meeting in a closed session.

The subject matter of the Closed Meeting will be:

Institution and settlement of injunctive actions;

institution and settlement of administrative proceedings;

an adjudicatory matter; and

other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact the Office of the Secretary at (202) 551–5400.

Dated: August 22, 2013.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–20935 Filed 8–23–13; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70242; File No. SR–Phlx–2013–76]

Self-Regulatory Organizations; NASDAQ OMX PHLX LLC; Notice of Filing of Proposed Rule Change Relating to the Discontinuation of the Differentiation of Price Improvement XL Orders of Less Than 50 Contracts

August 21, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 [2] thereunder, notice is hereby given that on August 16, 2013, NASDAQ OMX PHLX LLC (''Phlx'' 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 the Substance of the Proposed Rule Change

The Exchange proposes to discontinue the differentiation in subsection (n)(i)(A)(2) and subsection (n)(i)(B)(2) of Rule 1080 (Phlx XL and Phlx XL II) regarding Price Improvement XL (''PIXL'') Orders that are for a size of less than 50 contracts.[3] The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaqomxphlx.cchwallstreet.com/nasdaqomxphlx/phlx* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to discontinue the differentiation in subsection (n)(i)(A)(2) and subsection (n)(i)(B)(2) of Rule 1080 regarding PIXL Orders that are for a size of less than 50 contracts.

The PIXL program in Rule 1080(n) provides a price-improvement mechanism in which a member (an ''Initiating Member'') may electronically submit for execution an order it represents as agent on behalf of a public customer, broker-dealer, or any other entity (known as the ''PIXL Order'') against principal interest or against any other order it represents as agent, provided that such Initiating Member submits the PIXL Order for electronic execution into the one-second long PIXL Auction (''Auction'') pursuant to the rule. In addition, PIXL provides for the automatic execution, under certain conditions, of a crossing transaction where there is a public customer order in the same options series on each side.

Currently, subsection (n)(i)(A) of Rule 1080 states that for public customer orders, if a PIXL Order is for 50 contracts or more, the Initiating Member must stop the entire PIXL Order at a price that is equal to or better than the National Best Bid or Offer (''NBBO'') on the opposite side of the market from the PIXL Order, provided that such price must be at least one minimum price improvement increment (as determined by the Exchange but not smaller than one cent) better than any limit order on the limit order book on the same side of the market as the PIXL Order. Subsection (n)(i)(B) states that for non-public customer orders (*i.e.,* where the order is for the account of a broker-dealer or any other person or entity that is not a public customer), if the order is for 50 contracts or more, the Initiating Member must stop the entire PIXL Order at a price that is the better of: (i) The PBBO price improved by at least one minimum price improvement increment on the same side of the market as the PIXL Order; or (ii) the PIXL Order's limit price (if the order is a limit order), provided in either case that such price is at or better than the NBBO.

Two subsections of Rule 1080 ((n)(i)(A)(2) and (n)(i)(B)(2)) currently require, on a pilot basis expiring July 18, 2014, a separate price improvement process for public customer and non-public customer PIXL Orders that are less than 50 contracts in size. Subsection (n)(i)(A)(2) states that if the PIXL Order is for less than 50 contracts, the Initiating Member must stop the entire PIXL Order at a price that is the better of: (i) The PBBO price on the opposite side of the market from the PIXL Order, improved by at least one minimum price improvement increment; or (ii) the PIXL Order's limit price (if the order is a limit order), provided in either case that such price is at or better than the NBBO, and at least one price improvement increment better than any limit order on the book on the same side of the market as the PIXL Order. Subsection (n)(i)(B)(2) states that if the PIXL Order is for less than 50 contracts, the Initiating Member must stop the entire PIXL Order at a price that is the better of: (i) The PBBO price improved by at least one minimum price improvement increment on the same side of the market as the PIXL Order; or (ii) the PIXL Order's limit price (if the order is a limit order), provided in either case that such price is at or better than the NBBO and at least one price improvement increment better than the PBBO on the opposite side of the market from the PIXL Order. Subsections (n)(i)(A)(2) and (n)(i)(B)(2) are together known as the ''Differentiation Provision''.

The Exchange is proposing to discontinue the Differentiation Provision and the disparate treatment for PIXL Orders for less than 50 contracts.[4] As a result, all PIXL Orders regardless of their size will be treated the same as PIXL Orders that are 50

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Exchange Act Release No. 63027 (October 1, 2010), 75 FR 62160 (October 7, 2010) (SR–Phlx–2010–108) (order approving the PIXL electronic price improvement program and the noted pilot programs) (the ''PIXL Filing'').

[4] The Exchange is making conforming changes throughout subsection (n) of Rule 1080 to delete any rule text that differentiates PIXL procedures based on size.

contracts or greater in size in current Rule 1080(n).[5] Public customers will continue to have priority at each price level in accordance with PHLX Rule 1080(n)(ii)(E). Consistent with PIXL Orders of 50 contracts or greater in size, PHLX will consider resting quotes and orders for allocation at the end of the Auction with all prices that improve the stop price being considered first. At each given price point, PHLX will execute public customer interest in a price/time fashion such that all public customer interest which was resting on the order book is satisfied before any other interest that arrived after the Auction was initiated. After public customer interest at a given price point has been satisfied, remaining contracts will be allocated among all Exchange quotes, orders and Auction responses in accordance with the rules set forth in 1080(n)(ii)(E)(2) based on the manner in which the PIXL Order was submitted. Interest, whether resting prior to the commencement of the Auction or arriving during the Auction process, will continue to be executed according to the rules set forth in 1080(n)(ii)(E)(2).

The Exchange believes using the same exact allocation method, as it does today for PIXL Orders of 50 contracts or greater, is a fair distribution because the Initiating Order provides significant value to the market. The Initiating Member guarantees the PIXL Order an execution price at the NBBO or better at time of receipt, and is subject to market risk while the order is exposed to other market participants. The Initiating Member may only improve the stop price where they have stopped the agency side, and may not cancel their order once the Auction commences. Other market participants are free to modify or cancel their quotes and orders at any time during the Auction. The Exchange believes that the Initiating Member provides an important role in facilitating the price improvement opportunity for market participants. The following example illustrates how the proposed rule change would operate:

Example:

PBBO is 2.48–2.51 (60×30) (10 of the 30 on the offer is a public customer; 10 of the 30 on the offer is a market maker (MM) offering 10; 10 of the 30 on the offer is a resting off-floor broker dealer order).

NBBO is 2.48–2.51 (100×100).

Under the proposed PIXL Rule with the removal of the Differentiation Provision, a public customer order to buy may be entered into PIXL and stopped at a price equal to or within a range of 2.48–2.51. A non-public customer order to buy may be entered into PIXL and stopped at a price equal to or within a range of 2.49–2.51.

Assume a public customer or non-public customer order to buy 45 contracts is submitted into PIXL with a Stop Price of 2.51. The Auction will commence with an Auction notification being sent to market participants.

Assume, during the Auction, two market makers (MM1 and MM2) respond. MM1 responds to sell 10 contracts at 2.50 and MM2 responds to sell 10 contracts at 2.51.

At the end of the Auction, the PIXL Order will buy 10 contracts from MM1 at 2.50, leaving 35 to be allocated at the Stop Price of 2.51.

The allocation process would continue and 10 contracts will be allocated to the public customer on the book at 2.51, leaving 25 contracts to be allocated among the Initiating Order[6] which stopped the PIXL Order at 2.51, the two market makers offering at 2.51, and the off-floor broker dealer order on the offer at 2.51.

The remaining 25 contracts will be allocated at a price of 2.51 with 10 contracts (40%) being allocated to the Initiating Order, 8 (or 7)[7] contracts allocated to MM and 7 (or 8, per footnote 7) contracts allocated to MM2. Since all of the contracts have been allocated, the off-floor broker dealer order on the offer at 2.51 will not be allocated any contracts and will remain on the book.

The Exchange believes that the Differentiation Provision is unnecessary, and indeed is counterproductive to the goal of treating all PIXL Orders equally regardless of PIXL Order size. The Exchange believes removing the Differentiation Provision will attract new order flow that might not currently be afforded any price improvement opportunity into PIXL. When PIXL was first implemented, the Differentiation Provision was a means to ensure some level of price improvement for smaller orders. Currently, PIXL is a more mature product with a robust and seasoned price improvement mechanism that has the capacity to benefit all orders regardless of their size. Moreover, the Exchange notes that the Boston Options Exchange (''BOX'') currently has rules that do not differentiate price improvement opportunities based on the order size.[8] BOX's PIP mechanism was recently modified[9] to commence an auction even when there is resting interest at the PIP start price. When a PIP is initiated at a price equal to the NBBO, regardless of size, the resting quotes and orders on BOX are considered for allocation at the end of the auction. BOX executes interest that existed on the BOX order book prior to the commencement of a PIP before executing any interest which joined during the auction. This behavior aligns with the BOX standard trade allocation rules as they employ a price/time allocation algorithm. Similar to BOX, the PHLX proposed rule change will allow orders of any size to initiate an Auction at a price which is equal to or better than the NBBO where PHLX may have resting interest. PHLX will execute a PIXL Order against any interest, resting prior to the commencement of an Auction or interest which arrived during the Auction, in accordance with the rules as stated and illustrated with the example above. While this is different than the allocation algorithm that BOX employs, this behavior is consistent with the allocation algorithm established in the PHLX PIXL rules and employed today in PIXL when an order of 50 contracts or more is entered, regardless of the stop price.

While the removal of the Differentiation Provision removes the guarantee of price improvement in a limited instance, specifically when a PIXL Order is for fewer than 50 contracts and PHLX is already present at the NBBO at the commencement of the Auction, the Exchange believes that the proposed rule change will benefit

[5] This proposal refers only to eliminating subsections (n)(i)(A)(2) and (n)(i)(B)(2) and does not refer to or effect the provision at subsection (n)(vii), on a pilot basis expiring July 18, 2014, regarding no required minimum value size for orders to be eligible for PIXL Auctions.

Pursuant to the PIXL Filing, *see* supra note 3, the Exchange has provided periodic reports to the Commission with detailed information to assist the Commission in ascertaining the level of price improvement attained for orders during the period of the pilot. The Exchange believes that these reports show the effectiveness of the PIXL program in providing price improvement for PIXL Orders. This proposal will not impact the pilot or any of the pilot reports. The Exchange will continue periodically providing the Reports to the Commission through July 18, 2014, or as required pursuant to the subsection (n)(vii) pilot.

[6] As defined in Rule 1080(n).

[7] *See* Rule 1014(g)(v)(E). PHLX rounds fractional allocations (i.e. 7.5 contracts in this case) downward, and allocates the remaining 1 contract on a random basis among those participants of equal priority.

[8] *See* BOX Rules Chapter V, Section 18(e). BOX likewise operates an auction known as the PIP that does not differentiate based on order size. Similarly to PIXL as proposed to be amended, PIP involves a member entering an order into an electronic auction at a price that is at least equal to the NBBO. See Securities Exchange Act Release Nos. 49068 (January 13, 2004), 69 FR 2775 (January 20, 2004) (SR–BSE–2002–15) (order approving trading rules for BOX including PIP).

[9] *See* Securities Exchange Act Release No. 67592 (August 3, 2012), 77 FR 154 (August 9, 2012) (SR–BOX–2012–03) (order approving rule change to amend the PIP).

customers because it will encourage the entry of more orders into PIXL, thus it is more likely that such orders may receive price improvement. Similar price improvement mechanisms on both the ISE and BOX do not guarantee price improvement over the NBBO today. ISE's PIM mechanism has no size differentiation and only guarantees price improvement over the ISE BBO.[10] The BOX PIP mechanism allows orders of any size to be stopped at the NBBO or better which also does not guarantee price improvement.

The Exchange believes that because there is no rational need for volume differentiation, and as there is a competitive disadvantage to the Exchange in continuing differentiation, it is appropriate to discontinue the Differentiation Provision and thereby simplify the way PIXL operates.

This proposal would continue to afford the same price improvement opportunities for public customer and non-public customer PIXL Orders as is in operation today, but without differentiating based on order size. By way of example, to initiate an Auction for public customer orders, the Initiating Member would stop the entire PIXL Order at a price that is equal to or better than the NBBO on the opposite side of the market from the PIXL Order, provided that such price was at least one price improvement increment (no smaller than one cent) better than any limit order on the limit order book on the same side of the market as the PIXL Order. Conversely, to initiate an Auction for non-public customer orders where the order is for the account of a broker-dealer or any other person or entity that is not a public customer, the Initiating Member would stop the entire PIXL Order at a price that is the better of: (i) The PBBO price improved by at least one minimum price improvement increment on the same side of the market as the PIXL Order; or (ii) the PIXL Order's limit price (if the order is a limit order), provided that in either case that such price is at or better than the NBBO. A member would initiate a one-second long Auction by submitting a PIXL Order in one of three ways: (i) A single stop price; (ii) an auto-match price; or (iii) a not-worse-than price. Thus, under this proposal all PIXL Orders would be handled by current procedures for the price improvement of non-public and public PIXL Orders that are of 50 contracts or greater.[11]

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 creating positive, beneficial incentives for Initiating Members to provide price improvement opportunities to market participants, most notably public customers. Specifically, the Exchange believes the proposal will result in more orders of less than 50 contracts being executed in PIXL, thus providing an increased probability of price improvement for small orders. By removing the Differentiation Provision market participants would be incentivized to introduce more customer orders to PIXL for the opportunity to receive price improvement. Furthermore, public customers will continue to have priority at each price level in accordance with PHLX Rule 1080(n)(ii)(E). In particular, the Exchange believes that using the same allocation process as is used today for PIXL Orders of 50 contracts or greater, is fair and equitable because of the value the Initiating Member brings to the market place. Specifically, by stopping the PIXL Order at or better than the NBBO, the Initiating Member facilitates a process that protects investors and is in the public interest by providing an opportunity for price improvement. The Differentiation Provision as it is presently constructed assumes all broker-dealers have the same view about the price of an options contract. But this assumption is not necessarily true. While the market participant that introduces an order of less than 50 contracts into PIXL may only value that option at the NBBO, another market maker participant may be willing to price improve because their valuation is different. These different opinions make for a robust price discovery system that is the backbone of the U.S. options markets. The Exchange believes strongly that it should encourage such price discovery, and the removal of the Differentiation Provision would help to achieve this and more generally, benefit investors by offering more opportunities for customers and non-customers to receive price improvement. For these reasons, the Exchange believes that the proposal is fair, reasonable and equitable for all market participants.

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, the Exchange is proposing to amend Rule 1080(n) to offer opportunities found on other options exchanges and to further foster the price discovery process as well as create systems that embolden market participants to seek out price improvement opportunities for customers.

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–Phlx–2013–76 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

[10] *See* Securities Exchange Act Release No. 57847 (May 21, 2008), 73 FR 104 (May 29, 2008) (SR–ISE–2008–29) (order approving proposed rule change relating to the PIM).

[11] For a description of all PIXL procedures, *see* Rule 1080(n).

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

All submissions should refer to File Number SR–Phlx–2013–76. 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 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–Phlx–2013–76, and should be submitted on or before September 17, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–20775 Filed 8–26–13; 8:45 am]

BILLING CODE 8011–01–P

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70241; File No. SR–NASDAQ–2013–109]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify NASDAQ's Optional Anti-Internalization Functionality

August 21, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 [2] thereunder, notice is hereby given that on August 16, 2013, 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

NASDAQ proposes to modify NASDAQ's optional anti-internalization functionality.

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, NASDAQ included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

NASDAQ is proposing to modify its voluntary anti-internalization functionality to provide an additional option under that functionality. In addition, the proposed rule change contains certain clarifications to the text of the rule. Anti-internalization functionality is designed to assist market participants in complying with certain rules and regulations of the Employee Retirement Income Security Act (''ERISA'') that preclude and/or limit broker-dealers managing accounts governed by ERISA from trading as principal with orders generated for those accounts. The functionality can also assist market participants in avoiding execution fees that may result from the interaction of executable buy and sell trading interest from the same firm. NASDAQ notes that use of the functionality does not relieve or otherwise modify the duty of best execution owed to orders received from public customers. As such, market participants using anti-internalization functionality will need to take appropriate steps to ensure that public customer orders that do not execute because of the use of anti-internalization functionality ultimately receive the same execution price (or better) they would have originally obtained if execution of the order was not inhibited by the functionality.

Currently, market participants may apply anti-internalization logic to all quotes/orders entered through a particular MPID, or to all orders entered through a particular order entry port, to which a unique group identification modifier is then appended. In other words, the logic may be applied on an MPID-by-MPID, or on a port-by-port basis.[3] Currently, two forms of anti-internalization logic may be applied: (i) if quotes/orders are equivalent in size, both quotes/orders will be cancelled, or if they are not equivalent in size, the smaller will be cancelled and the size of the larger will be reduced by the size of the smaller; or (ii) regardless of the size of the quotes/orders, the oldest quote/order will be cancelled in full. The applicable logic may be applied to an entire MPID, or alternatively, different logic may be applied to different order entry ports under a particular MPID.[4]

In response to member input, the proposed rule change will add an additional form of anti-internalization logic that a market participant could choose to apply, under which the most recent quote/order would be cancelled. As with the two existing forms of anti-internalization logic, the logic could be applied to an entire MPID, or to selected order entry ports under a particular MPID.[5] NASDAQ believes that the change will provide members with an additional tool for managing the book of

[3] In the proposed rule change that introduced the ability to assign a group identification modifier with respect to anti-internalization processing, NASDAQ stated that the modifier may be assigned ''at the port level.'' Securities Exchange Act Release No. 65868 (December 2, 2011), 76 FR 76795 (December 8, 2011) (SR–NASDAQ–2011–158). However, this level of specificity was not included in the text of Rule 4757. In addition, although the rule indicates that designation of functionality at the port level is an option available to the market participant, the rule does not make it clear that in order to make use of these options, market participants must use NASDAQ's OUCH order entry protocol. Thus, the proposed rule change also adds additional specificity to the rule text with respect to these aspects of the anti-internalization functionality.

[4] With respect to this functionality also, participants wishing to make designations on the order port level must use the OUCH order entry protocol.

[5] *Id.*

orders that they submit to NASDAQ and the associated execution costs.

2. Statutory Basis

NASDAQ believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[6] in general, and with Section 6(b)(5) of the Act[7] in particular, in that the proposal is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Specifically, NASDAQ believes that the change, which is responsive to member input, will facilitate transactions in securities and perfect the mechanism of a free and open market by providing members with additional optional functionality that may assist them with managing the book of orders that they submit to NASDAQ and the associated execution costs.

B. Self-Regulatory Organization's Statement on Burden on Competition

NASDAQ does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended. Specifically, by offering market participants additional options with regard to preventing inadvertent internalization of orders submitted to NASDAQ, the change has the potential to enhance NASDAQ's competitiveness with respect to other trading venues, thereby promoting greater competition. Moreover, the change does not burden competition in that its use is optional and provided at no additional cost to members.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act[8] and subparagraph (f)(6) of Rule 19b–4 thereunder.[9] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2013–109 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NASDAQ–2013–109. 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 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2013–109, and should be submitted on or before September 17, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–20774 Filed 8–26–13; 8:45 am]

BILLING CODE 8011–01–P

[6] 15 U.S.C. 78f.

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78s(b)(3)(a)(ii).

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Senior Executive Service: Performance Review Board Members

AGENCY: U. S. Small Business Administration.

ACTION: Notice of Members for the FY 2014 Performance Review Board.

SUMMARY: Title 5 U.S.C. 4314(c)(4) requires each agency to publish notification of the appointment of individuals who may serve as members of that Agency's Performance Review Board (PRB). The following individuals have been designated to serve on the FY 2014 Performance Review Board for the U.S. Small Business Administration.

1. Robert Hill, (Chair), Associate Administrator for Field Operations
2. Michele Chang, Deputy Chief of Staff
3. Paul Christy, Chief Operating Officer
4. Nicholas Coutsos, Assistant Administrator, Congressional and Legislative Affairs
5. John Klein, Assistant General Counsel for Procurement
6. John Miller, Director, Financial Program Operations, Office of Capital Access
7. Judith Roussel, Director of Government Contracting

Karen G. Mills,

Administrator.

[FR Doc. 2013–20859 Filed 8–26–13; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice 8439]

60-Day Notice of Proposed Information Collection: Voluntary Disclosures.

ACTION: Notice of request for public comments.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to 60 days from August 27, 2013.

ADDRESSES: Comments and questions should be directed to Mr. Nicholas Memos, Office of Defense Trade Controls Policy, U.S. Department of State, who may be reached via the following methods:

- *Internet:* Persons with access to the Internet may use the Federal Docket Management System (FDMS) to comment on this notice by going to *www.regulations.gov.* You may search for the document by entering ''Public Notice ####'' in the search bar. If necessary, use the ''narrow by agency'' filter option on the results page.
- *Email: memosni@state.gov.*
- *Mail:* Mr. Nicholas Memos, SA–1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522–0112.

You must include the information collection title and the OMB control number in any correspondence.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information to Mr. Nicholas Memos, PM/DDTC, SA–1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522–0112, who may be reached via phone at (202) 663–2829, or via email at *memosni@state.gov.*

- *Title of Information Collection:* Voluntary Disclosures
- *OMB Control Number:* 1405–0179
- *Type of Request:* Extension of Currently Approved Collection
- *Originating Office:* Bureau of Political-Military Affairs, Directorate of Defense Trade Controls, PM/DDTC
- *Form Number:* None
- *Respondents:* Business and nonprofit organizations
- *Estimated Number of Respondents:* 850
- *Estimated Number of Responses:* 1,500
- *Average Hours Per Response:* 10 hours
- *Total Estimated Burden:* 15,000 hours
- *Frequency:* On Occasion
- *Obligation to Respond:* Voluntary

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of proposed collection: The export, temporary import, temporary export and brokering of defense articles, defense services, and related technical data are licensed by the Directorate of Defense Trade Controls (DDTC) in accordance with the International Traffic in Arms Regulations (''ITAR,'' 22 CFR 120–130) and Section 38 of the Arms Export Control Act (AECA). Those who manufacture or export defense articles, defense services, and related technical data, or the brokering thereof, must register with the Department of State. Persons desiring to engage in export, temporary import, and brokering activities must submit an application or written request to conduct the transaction to the Department to obtain a decision whether it is in the interests of U.S. foreign policy and national security to approve the transaction. Also, registered brokers must submit annual reports regarding all brokering activity that was transacted, and registered manufacturers and exporter must maintain records of defense trade activities for five years. ITAR § 127.12 encourages the disclosure of information to DDTC by persons who believe they may have violated any provision of the AECA, ITAR, or any order, license, or other authorization issued under the AECA. The violation is analyzed by DDTC to determine whether to take administrative action under ITAR part 128 and whether to refer the matter to the Department of Justice for possible prosecution.

Methodology: This information collection may be sent to the Directorate of Defense Trade Controls via the following methods: electronically or mail.

Dated: August 20, 2013.

C. Edward Peartree,

Office of Defense Trade Controls Policy, Bureau of Political-Military Affairs, U.S. Department of State.

[FR Doc. 2013–20908 Filed 8–26–13; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Public Notice 8441]

Culturally Significant Objects Imported for Exhibition Determinations: ''Face to Face: Flanders, Florence, and Renaissance Painting'' 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), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Face to Face: Flanders, Florence, and Renaissance Painting,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Huntington Library, Art Collections, and Botanical Gardens, San Marino, CA, from on or about September 28, 2013, until on or about January 13, 2014, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6467). The mailing address is U.S. Department of

State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: August 16, 2013.

Lee Satterfield,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2013–20904 Filed 8–26–13; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 8440]

Culturally Significant Objects Imported for Exhibition Determinations: ''Yoga: the Art of Transformation''

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Yoga: the Art of Transformation,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Arthur M. Sackler Gallery, Smithsonian Institution, Washington, DC, from on or about October 19, 2013, until on or about January 26, 2014; The Asian Art Museum, San Francisco, CA, from on or about February 21, 2014, until on or about May 25, 2014; The Cleveland Museum of Art, from on or about June 22, 2014, until on or about September 7, 2014, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6467). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: August 16, 2013.

Lee Satterfield,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2013–20905 Filed 8–26–13; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 8442]

Determination on Imposition and Waiver of Sanctions Under Sections 603 and 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Pub. L. 107–228)

Consistent with the authority contained in Section 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Pub. L. 107–228) (the ''Act''), the Delegation of Authority in the April 30, 2009, Memorandum for the Secretary of State, and Department of State Delegation of Authority No. 245–1, and with reference to the determinations set out in the Report to the Congress transmitted pursuant to Section 603 of that Act, regarding the extent of noncompliance by the Palestine Liberation Organization (PLO) or Palestinian Authority with certain commitments, I hereby impose the sanction set out in Section 604(a)(2), ''Downgrade in Status of the PLO Office in the United States.'' This sanction is imposed for a period of 180 days from the date that the report under Section 603 of the Act is transmitted to the Congress or until such time as the next report under Section 603 is required to be transmitted to the Congress, whichever is later.

Furthermore, I hereby determine that it is in the national security interest of the United States to waive that sanction, pursuant to Section 604(c) of the Act. This waiver shall be effective for a period of 180 days from the date hereof or until such time as the next report under Section 603 of the Act is required to be transmitted to Congress, whichever is later.

This Determination shall be reported to Congress promptly and published in the **Federal Register**.

Dated: August 8, 2013.

William J. Burns,

Deputy Secretary of State.

[FR Doc. 2013–20909 Filed 8–26–13; 8:45 am]

BILLING CODE 4710–31–P

DEPARTMENT OF TRANSPORTATION

Connected Vehicle Research Program Public Meeting; Notice of Public Meeting

AGENCY: ITS Joint Program Office, Research and Innovative Technology Administration, U.S. Department of Transportation.

ACTION: Notice.

The U.S. Department of Transportation (USDOT) Intelligent Transportation System Joint Program Office (ITS JPO) will host its annual free public meeting to provide an overview of the ITS JPO Connected Vehicle research program. The meeting will take place September 24 to 26, 2013, at the Holiday Inn Arlington at Ballston, 4610 Fairfax Drive, Arlington, VA, 22203, 703–243–9800. Persons planning to attend the meeting should register online at *www.itsa.org/connectedvehicleworkshop.*

The public meeting is the best opportunity to learn details about the Connected Vehicle research program in anticipation of the National Highway Traffic Safety Administration's 2013 decision regarding vehicle safety communications for light vehicles and 2014 decision for heavy vehicles. The meeting will have focused discussions on the ITS JPO's Connected Vehicle safety program, including vehicle-to-vehicle communications, safety pilot, vehicle-to-infrastructure communications, human factors, and policy. There will also be a special session dedicated to the *ITS Strategic Plan for 2015 to 2019* including a session on the developing USDOT Multimodal Plan for Vehicle Automation. The agenda for the meeting will be posted on the ITS JPO Web site at *www.its.dot.gov.*

About the Connected Vehicle Research Program at USDOT

Connected Vehicle research at USDOT is a multimodal program that involves using wireless communication between vehicles, infrastructure, and personal communications devices to improve safety, mobility, and environmental sustainability. To learn more about the Connected Vehicle program please visit *www.its.dot.gov.*

Issued in Washington, DC, on the 21st day of August 2013.

Stephen Glasscock,

Program Analyst, ITS Joint Program Office.

[FR Doc. 2013–20831 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–HY–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Waiver to Space Exploration Technologies Corporation of Acceptable Risk Limit for Launch

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of waiver.

SUMMARY: This notice concerns a petition for waiver submitted to the Federal Aviation Administration (FAA) by Space Exploration Technologies Corporation (SpaceX) to waive a limit that the risk to the public from the launch of an expendable launch vehicle not exceed an expected average number of 0.00003 casualties ($E_c \leq 30 \times 10^{-6}$) from far field blast overpressure. The FAA grants the petition, but limits collective risk to an expected average number of 0.0001 casualties.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this waiver, contact Charles P. Brinkman, Licensing Program Lead, Commercial Space Transportation—Licensing and Evaluation Division, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–7715; email: *Phil.Brinkman@faa.gov.* For legal questions concerning this waiver, contact Laura Montgomery, Manager, Space Law Branch, AGC–250, Office of the Chief Counsel, Regulations Division, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–3150; email: *Laura.Montgomery@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

On July 10, 2013, SpaceX submitted a petition to the FAA's Office of Commercial Space Transportation (AST) requesting a waiver for a launch from Vandenberg Air Force Base (VAFB) of a Falcon 9 Version 1.1 (v1.1) launch vehicle carrying, a Canadian scientific and research satellite called Cassiope, and several small secondary payloads. SpaceX requested a waiver of 14 CFR 417.107(b)(1), which prohibits the launch of an expendable launch vehicle if the total expected average number of casualties (E_c) for the launch exceeds 0.00003 for risk from far field blast overpressure.

The FAA licenses the launch of a launch vehicle and reentry of a reentry vehicle under authority granted to the Secretary of Transportation in the Commercial Space Launch Act of 1984, as amended and re-codified by 51 U.S.C. Subtitle V, chapter 509 (Chapter 509), and delegated to the FAA Administrator and the Associate Administrator for Commercial Space Transportation, who exercises licensing authority under Chapter 509.

SpaceX is a private commercial space flight company. It has initiated activities with the U.S. Air Force's EELV Program to become a certified launch service provider for National Security space missions. In addition, SpaceX launches commercial payloads such as Cassiope.

This petition for waiver addresses an upcoming flight that SpaceX plans to undertake transporting the Cassiope satellite and several small secondary payloads to earth orbit. This will be the first launch by SpaceX from VAFB. It will also be the first flight of the Falcon 9 v1.1 vehicle, which is larger and has greater thrust and payload capacity than SpaceX's Falcon 9 vehicle. SpaceX's Falcon 9 v1.1 launch vehicle will launch from VAFB and place the Cassiope satellite into a near-polar orbit. The launch vehicle will also carry five secondary payloads to the same orbit. The first stage will coast after stage separation, and then perform an experimental burn with three engines to reduce the entry velocity just prior to entry. Prior to landing in the water, it will perform a second experimental burn with one engine to impact the water with minimal velocity. The second stage will coast and then perform an experimental burn to depletion.

The preliminary calculation of E_c for far field blast overpressure shows that the launch would exceed the 0.00003 limit imposed by section 417.107(b)(1) under anticipated weather conditions for a daytime launch in September. Atmospheric conditions at the launch site during the anticipated time of launch increase the far field blast overpressure risk. The presence of inversion layers at VAFB is common, and results in the reflection of shock waves from an explosion. This reflection of shock waves can cause greater damage than would otherwise be caused without the reflection from the inversion layer. Chances of advantageous weather conditions during the day in September that would allow a launch that meets the FAA's risk requirements are virtually zero percent.[1]

The Falcon 9 v1.1 is a new launch vehicle. The U.S. Air Force has determined that its overall failure probability is nearly fifty percent for each of the first two launches. AST has determined that the Air Force's calculation of probability of failure satisfies the requirements in part 417. Weather conditions during the day in September are likely to be unfavorable and delays may last for days. SpaceX, therefore, seeks a waiver of this risk requirement.

Waiver Criteria

Chapter 509 allows the FAA to waive a license requirement if the waiver (1) will not jeopardize public health and safety, safety of property; (2) will not jeopardize national security and foreign policy interests of the United States; and (3) will be in the public interest. 51 U.S.C. 50905(b)(3) (2011); 14 CFR 404.5(b) (2011).

Sections 417.107(b)(1) Waiver Petition

Section 417.107(b)(1) prohibits the launch of a launch vehicle if the E_c for the flight exceeds 0.00003 for any of the following three risks: (1) Impacting inert and impacting explosive debris, (2) toxic release, and (3) far field blast overpressure. For reasons described below, the FAA waives the restrictions in section 417.107(b)(1) to allow SpaceX to conduct a flight with the E_c resulting from far field blast overpressure exceeding 0.00003 as long as total E_c for the three hazards combined does not exceed 0.0001. The FAA is not waiving the E_c requirement for impacting inert and impacting explosive debris or for toxic release.

Launch of the Falcon 9 Vehicle

The FAA waives the far field overpressure risk requirement of section 417.107(b)(1) because the Falcon 9 v1.1 launch will not jeopardize public health and safety or safety of property, a national security or foreign policy interest of the United States, and is in the public interest.

i. Public Health and Safety and Safety of Property

The Falcon 9 v1.1 launch is the first launch of the v1.1 vehicle, and the first SpaceX launch from VAFB. Although the risk from far field blast overpressure is likely to exceed 0.00003, the estimated risks for debris and toxic release are very low. Based on preliminary calculations performed by the U.S. Air Force for SpaceX, the collective risk to the public from the Falcon 9 v1.1 launch will be less than 0.0001 approximately forty percent of the time during September.[2] NASA, the

[1] In calculating this percentage, the FAA relies on the standard model developed by the 30th Space Wing from observation of Mission Flight Control Officer response times to initiate flight destruction of a malfunctioning launch vehicle. The 30th Space Wing uses this standard time for its analysis.

[2] The FAA assumes the standard model developed by the 30th Space Wing from observation of Mission Flight Control Officer response times to initiate flight destruction of a malfunctioning

U.S. Air Force and other U.S. National Test ranges use 0.0001 as the expected casualty limit across all three hazards as their criterion *See* U.S. Air Force Instruction 91–217, *Space Safety and Mishap Prevention Program* (2010); NASA Procedural Requirements 8715.5 Rev A, *Range Flight Safety Program* (2010); Range Commanders Council (RCC) Standard 321–10, *Common Risk Criteria Standards for National Test Ranges* (2010). If the Falcon 9 v1.1's collective risk were to exceed 0.0001 expected casualties, SpaceX would not launch until conditions improved sufficiently for the risk of the launch to satisfy the limits allowed by the waiver.

The increase in the E_c for the first launch of the Falcon 9 v1.1 vehicle from VAFB is largely attributable to two factors. First, the launch will take place from VAFB. VAFB is located in California, and frequently experiences unique weather conditions that exacerbate far field blast overpressure from a launch. An inversion layer, an atmospheric region with a warmer temperature than the region below, is common much of the year at VAFB. The presence of an inversion layer could increase damage caused by an explosion because an inversion layer may reflect the shock wave from an explosion back towards the ground. By reflecting the shock wave back towards the ground, surrounding buildings, and particularly glass windows, may experience greater pressure, which could cause greater glass breakage. Second, the estimated probability of failure to the Falcon 9 v1.1 is high because it is a new launch vehicle. There is no way to reduce this estimated failure probability, which is derived from the historically high number of launch failures in new vehicles. This probability of failure is one of the most critical variables in the E_c calculations.

This waiver for the risk from far field blast overpressure is consistent with the Air Force total risk threshold for E_c of 100×10^{-6} for risks from debris, toxic release, and far field blast overpressure combined. The current E_c requirement for U.S. Government launches from U.S. National Test Ranges is 0.0001, which, because it comprises debris, toxics, and overpressure, means that the federal launch ranges permit the risk attributable to overpressure to exceed the FAA's risk threshold. *See* Air Force Instruction 91–217, *Space Safety and Mishap Prevention Program* (2010). The U.S. Air Force approved a government launch of a Titan, where the risk ranged from 145 to 317 in a million. Dept. of the Air Force Memorandum, Overflight Risk Exceedance Waiver for Titan IV B–30 Mission, (Apr. 4, 2005). Additionally, the FAA granted a waiver on April 17, 2012, for risk from debris up to 0.000130 for a Falcon 9 launch from Cape Canaveral Air Force Station. *Waiver of Acceptable Risk Restriction for Launch and Reentry,* Notice of Waiver, 77 FR 24556 (April 24, 2012). Again, risk was largely a result of a relatively high failure probability that is unavoidably attached to a new launch vehicle. Based on the fact that risk will remain very low, and will be limited to the requirement for government launches (E_c of less than 0.0001), granting a waiver in this case would not jeopardize public health and safety or safety of property.

ii. National Security and Foreign Policy Implications

The FAA has identified no national security or foreign policy implications associated with granting this waiver.

iii. Public Interest

The waiver is consistent with the public interest goals of Chapter 509. Three of the public policy goals of Chapter 509 are: (1) To promote economic growth and entrepreneurial activity through use of the space environment; (2) to encourage the United States private sector to provide launch and reentry vehicles and associated services; and (3) to facilitate the strengthening and expansion of the United States space transportation infrastructure to support the full range of United States space-related activities. *See* 51 U.S.C. 50901(b)(1), (2), (4).

With a requirement that E_c be less than 0.00003 for far field blast overpressure, launch availability for the Western Range is estimated to be virtually zero percent due to atmospheric conditions at the launch site and the high failure probability necessarily assigned to a new launch vehicle. This would certainly make the launch site impractical for commercial launches, at least of new launch vehicles. Granting a limited waiver for risk from far field blast overpressure as long as the risk for all three risks does not exceed 100×10^{-6} increases launch availability for the first launch of Falcon 9 v1.1 at VAFB to approximately forty percent for September, depending on detailed analytical assumptions concerning flight termination action. VAFB is the most suitable U.S. launch facility for supporting the launches of satellites by large vehicles into polar orbits. Granting this waiver makes VAFB a viable site for commercial launches, helping to sustain the launch capacity for U.S. launch providers, thereby supporting the industrial base and lowering overall launch costs for commercial customers and the U.S. Government.

Additionally, the proposed launch is consistent with the principles and goals of the 2010 National Space Policy, which emphasizes the importance of developing a robust domestic commercial space transportation industry and acquiring commercial space services to meet United States Government requirements. The development of commercial launch service providers is crucial because, as noted in the 2010 National Space Policy, United States access to space depends in the first instance on launch capabilities. To that end, SpaceX has applied to the U.S. Air Force's EELV Program to become a certified launch service provider for National Security space missions. In accordance with the Air Force's approved New Entrant Certification Guide, SpaceX is required to demonstrate its compliance with EELV program requirements, including successfully demonstrating launches of the launch vehicle being proposed for certification. In the certification approach being taken under the New Entrant Certification Guide, SpaceX is required to successfully launch three Falcon 9 launch vehicles, the first of which is planned to be the Cassiope mission from VAFB. Each flight of the Falcon 9 builds heritage for this vehicle, which will be used by the United States Government. NASA has already contracted with SpaceX for Cargo Resupply Services missions from CCAFS using Falcon 9 v1.1. Accordingly, proceeding with the proposed launch is in the public interest.

Issued in Washington, DC, on August 19, 2013.

Kenneth Wong,

Licensing and Evaluation Division Manager, Commercial Space Transportation.

[FR Doc. 2013–20726 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–13–P

launch vehicle. The 30th Space Wing uses this standard time for its analysis.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in Indiana

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by FHWA and United States Fish and Wildlife Service (USFWS), DOI.

SUMMARY: This notice announces actions taken by the FHWA and the USFWS that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to proposed highway projects for a 21 mile segment of I–69 in the Counties of Monroe and Morgan, State of Indiana, and grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA is advising the public that the FHWA and the USFWS have made decisions that are subject to 23 U.S.C. 139(l)(1) and are final within the meaning of that law. A claim seeking judicial review of those Federal agency decisions on the proposed highway project will be barred unless the claim is filed on or before January 24, 2014. 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 the shorter time period applies.

FOR FURTHER INFORMATION CONTACT: For the FHWA: Ms. Michelle Allen, Federal Highway Administration, Indiana Division, 575 North Pennsylvania Street, Room 254, Indianapolis, IN 46204–1576; telephone: (317) 226–7344; email: *Michelle.Allen@dot.gov.* The FHWA Indiana Division Office's normal business hours are 7:30 a.m. to 4 p.m., e.t. For the USFWS: Mr. Scott Pruitt, Field Supervisor, Bloomington Field Office, USFWS, 620 South Walker Street, Bloomington, IN 47403–2121; telephone: (812) 334–4261; email: *Scott_Pruitt@fws.gov.* Normal business hours for the USFWS Bloomington Field Office are: 8 a.m. to 4:30 p.m., e.t. You may also contact Mr. Thomas Seeman, Project Manager, Indiana Department of Transportation (INDOT), 100 North Senate Avenue, Indianapolis, IN 46204; telephone: (317) 232–5336; email: *TSeeman@indot.IN.gov.* Normal business hours for the Indiana Department of Transportation are: 8 a.m. to 4:30 p.m., e.t.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the FHWA has approved a Tier 2 Final Environmental Impact Statement (FEIS) for section 5 of the I–69 highway project from Evansville to Indianapolis and issued a Record of Decision (ROD) for section 5 on August 7, 2013. Section 5 of the I–69 project extends from the intersection of Victor Pike and State Road 37 (south of Bloomington) to south of the intersection of State Road 37 and State Road 39 (south of Martinsville). Section 5 generally follows the alignment of and upgrades State Road 37, an existing four-lane median divided highway, to a fully access-controlled highway. As approved in the Tier 1 ROD, the corridor is generally 2,000 feet wide. The ROD selected Refined Preferred Alternative 8 for section 5, as described in the *I–69 Evansville to Indianapolis, Indiana, Tier 2 Final Environmental Impact Statement Bloomington to Martinsville, Indiana* (FEIS), available at *http://www.i69indyevn.org/section-5-FEIS.html.* The ROD also approved the locations of the interchanges, grade separations, and access roads (which include new roads, road relocations, and realignments). The FHWA had previously issued a Tier 1 FEIS and ROD for the entire I–69 project from Evansville to Indianapolis, Indiana. A Notice of Limitation on Claims for Judicial Review of Actions by FHWA and United States Fish and Wildlife Service (USFWS), DOI, was published in the **Federal Register** on April 17, 2007. A claim seeking judicial review of the Tier 1 decisions must have been filed by October 15, 2007, to avoid being barred under 23 U.S.C. 139(1). Decisions in the FHWA Tier 1 ROD that were cited in that **Federal Register** notice included, but were not limited to, the following:

1. Purpose and need for the project.
2. Range of alternatives for analysis.
3. Selection of the Interstate highway build alternative and highway corridor for the project, as Alternative 3C.
4. Elimination of other alternatives from consideration in Tier 2 NEPA proceedings.
5. Process for completing the Tier 2 alternatives analysis and studies for the project, including the designation of six Tier 2 sections and a decision to prepare a separate environmental impact statement for each Tier 2 section.

The Tier 1 ROD and Notice specifically noted that the ultimate alignment of the highway within the corridor, and the locations and number of interchanges and rest areas would be evaluated in the Tier 2 NEPA proceedings. Those proceedings for section 5 of the I–69 project from Evansville to Indianapolis have culminated in the August 7, 2013 ROD and this Notice. Interested parties may consult the Tier 2, section 5 ROD and FEIS for details about each of the decisions described above and for information on other issues decided. The Tier 2, section 5 ROD can be viewed and downloaded from the project Web site at *http://www.i69indyevn.org/.* People unable to access the Web site may contact FHWA or INDOT at the addresses listed above. Decisions in the section 5, Tier 2 ROD that have final approval include, but are not limited to, the following: 1. National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]. 2. Endangered Species Act [16 U.S.C. 1531–1544]. 3. Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128]. 4. Clean Air Act, 42 U.S.C. 7401–7671(q). 5. Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]. 6. Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]. 7. Bald and Golden Eagle Protection Act [16 U.S.C. 688–688d].

Notice is hereby given that, subsequent to the earlier FHWA notices cited above, the USFWS has taken two final agency actions within the meaning of 23 U.S.C. 139(l)(1) by issuing: 1) ''Amendment 2 to the Tier 1 Revised Programmatic Biological Opinion (dated August 24, 2006, previously amended May 25, 2011) for the I–69, Evansville to Indianapolis, Indiana Highway'' dated July 24, 2013, and, 2) an individual Biological Opinion, dated July 25, 2013, for the Tier 2, section 5, 21 mile I–69 project in Monroe and Morgan counties, that concluded that the section 5 project was not likely to jeopardize the continued existence of the Indiana bat and was not likely to adversely modify the bat's designated Critical Habitat.

Previous actions taken by the USFWS for the Tier 1, I–69 project, pursuant to the Endangered Species Act, 16 U.S.C. 1531–1544, included its concurrence with the FHWA's determination that the I–69 project was not likely to adversely affect the eastern fanshell mussel (*Cyprogenia stegaria*) and that the project was likely to adversely affect, but not jeopardize, the bald eagle. The USFWS also concluded that the project was not likely to jeopardize the continued existence of the Indiana bat and was not likely to adversely modify the bat's designated Critical Habitat. These USFWS decisions were described in the Programmatic Biological Opinion issued on December 3, 2003, the Revised Programmatic Biological Opinion issued on August 24, 2006, and other documents in the Tier 1 project records. A Notice of Limitation on Claims for Judicial Review of these actions and decisions by the USFWS, DOI, was published in the **Federal Register** on April 17, 2007. The USFWS affirmed its decisions in the Amendment to the Revised Programmatic Biological Opinion issued on May 25, 2011. A Notice of Limitation on Claims for Judicial Review of these actions and decisions by the USFWS, DOI, was published in the **Federal Register** on July 20, 2011. A claim seeking judicial review of the Amendment to the Revised Programmatic Biological Opinion must have been filed by January 17, 2012, to avoid being barred under 23 U.S.C. 139(l).

For the Tier 2, section 5, 21 mile I–69 Project in Monroe County, an

individual Biological Opinion was issued on July 25, 2013, which concluded that the Section 5 project was not likely to jeopardize the continued existence of the Indiana bat and was not likely to adversely modify the bat's designated Critical Habitat. In addition, the USFWS issued an Incidental Take Statement subject to specific terms and conditions. The USFWS also issued a Bald Eagle Take Exempted under ESA permit (NO. MB218918–0) for the incidental take of the bald eagles for all sections of the I–69 project. The permit was effective as of June 25, 2009, and is subject to the terms and conditions of the Endangered Species Act section 7 incidental take statement and the August 24, 2006, Revised Programmatic Biological Opinion. The biological opinions, Bald Eagle permit no. MB218918–0, and other project records relating to the USFWS actions, taken pursuant to the Endangered Species Act, 16 U.S.C. 1531–1544, are available by contacting the FHWA, INDOT, or USFWS at the addresses provided above. The Tier 2, section 5 Biological Opinion can be viewed and downloaded from the project Web site at *http://www.i69indyevn.org/section-5-feis/.*

On July 24, 2013, USFWS issued ''Amendment 2 To the Tier 1 Revised Programmatic Biological Opinion (RPBO dated August 24, 2006, previously amended May 25, 2011) for the I–69, Evansville to Indianapolis, Indiana highway'' USFWS decided to issue the Amendment to the RPBO primarily due to the identification of two new Indiana bat maternity colonies in the Section 5 project area (which begins south of Bloomington near Victor Pike in Monroe County, Indiana and terminates south of State Road 39 south of Martinsville in Morgan County, Indiana). Additionally, the project identified increases to exempt level of forest and wetland impacts based on refinement of the Tier 1 RPBO estimates. Finally additional forest impacts were revealed within and adjacent to the Section 4 (which begins east of the intersection of U.S. 231 and SR 45/SR58 in Greene County, Indiana and terminates at SR 37 near Victor Pike in Monroe County, Indiana) project right-of-way due to private landowner tree-clearing actions. In light of this new information, USFWS chose to reevaluate impacts to the Indiana bat and to update the 2006 and 2011 Tier 1 RPBO and Incidental Take Statement. The Amendment 2 to the Tier 1 RPBO contains new analysis and comment for each of the sections of the 2006 Tier 1 RPBO affected by the new information, and USFWS affirmed that all other sections of the Tier 1 RPBO remain valid. Based on analysis of the new information, USFWS concluded that appreciable reductions in the likelihood of survival and recovery of Indiana bats due to the construction, operation, and maintenance of I–69 from Evansville to Indianapolis, Indiana are unlikely to occur, and hence, the FHWA has ensured that the proposed action is not likely to jeopardize the continued existence of the Indiana bat or destroy or adversely modify designated critical habitat. USFWS did not conduct any new analysis for either the bald eagle or eastern fanshell mussel (Cyprogenia stegaria), and the non-jeopardy conclusion regarding impacts to the bald eagle still stands as stated in the original Tier 1 Biological Opinion (dated December 3, 2003). The Amendment 2 To the Tier 1 Revised Programmatic Biological Opinion (RPBO dated August 24, 2006, previously amended May 25, 2011) for the I–69, Evansville to Indianapolis, Indiana highway can be found and downloaded from the project Web site at *http://www.i69indyevn.org/corridor-wide-technical-reports/.*

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(*l*)(1).

Richard J. Marquis,

Division Administrator, Indianapolis, Indiana.

[FR Doc. 2013–20869 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Limitation on Claims Against Proposed Public Transportation Projects

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice.

SUMMARY: This notice announces final environmental actions taken by the Federal Transit Administration (FTA) for projects in the following locations: San Francisco, CA; Rochester, NY; Michigan City, IN; Chicago, IL; and Minneapolis, MN. The purpose of this notice is to announce publicly the environmental decisions by FTA on the subject projects and to activate the limitation on any claims that may challenge these final environmental actions.

DATES: By this notice, FTA is advising the public of final agency actions subject to Section 139(l) of Title 23, United States Code (U.S.C.). A claim seeking judicial review of the FTA actions announced herein for the listed public transportation project will be barred unless the claim is filed on or before January 24, 2014.

FOR FURTHER INFORMATION CONTACT: Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353–2577 or Terence Plaskon, Environmental Protection Specialist, Office of Human and Natural Environment, (202) 366–0442. FTA is located at 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 9:00 a.m. to 5:30 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FTA has taken final agency actions by issuing certain approvals for the public transportation projects listed below. The actions on the projects, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA administrative record for the projects. Interested parties may contact either the project sponsor or the relevant FTA Regional Office for more information on the project. Contact information for FTA's Regional Offices may be found at *http://www.fta.dot.gov.*

This notice applies to all FTA decisions on the listed projects as of the issuance date of this notice and all laws under which such actions were taken, including, but not limited to, NEPA [42 U.S.C. 4321–4375], Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303], Section 106 of the National Historic Preservation Act [16 U.S.C. 470f], and the Clean Air Act [42 U.S.C. 7401–7671q]. This notice does not, however, alter or extend the limitation period for challenges of project decisions subject to previous notices published in the **Federal Register**. For example, this notice does not extend the limitation on claims announced for earlier decisions on the Central Corridor Light Rail Transit project. The projects and actions that are the subject of this notice are:

1. *Project name and location:* Mission Bay Transit Loop Project, San Francisco, CA. *Project sponsor:* San Francisco Municipal Transportation Agency (SFMTA). *Project description:* The Mission Bay Transit Loop Project would provide turn-around capabilities for the T-Third Street light rail line via a

connection of trackway from Third Street to 18th, Illinois, and 19th Streets to facilitate an increase in frequency of transit service in the Chinatown, Mission Bay, and South of Market neighborhoods. The increase in service would be achieved by allowing up to half of the trains traveling on Third Street via the Central Subway to turn around during peak hours at the Mission Bay Transit Loop and proceed back toward downtown San Francisco to Stockton and Washington Streets. *Final agency actions:* No use determination of Section 4(f) resources; Section 106 finding of no adverse effect; project-level air quality conformity; and Finding of No Significant Impact (FONSI), dated July 30, 2013. *Supporting documentation:* Environmental Assessment, dated May 2013.

2. *Project name and location:* Rochester Genesee Regional Transit Authority Campus Improvement Project, Rochester, NY. *Project sponsor:* Rochester Genesee Regional Transit Authority (RGRTA). *Project description:* The proposed project will renovate and expand the operations building; construct a new maintenance warehouse building, new bus parking, a new service building, new employee parking; and includes other site improvements. *Final agency actions:* a Section 106 Programmatic Agreement, dated July 25, 2013, and Finding of No Significant Impact (FONSI), dated July 25, 2013. *Supporting documentation:* Environmental Assessment, dated March 2013.

3. *Project name and location:* Replacement of NICTD Bridge 31.79 Over Trail Creek, City of Michigan City, LaPorte County, IN. *Project sponsor:* Northern Indiana Commuter Transportation District (NICTD). *Project description:* The proposed project will replace NICTD Bridge 31.79 over Trail Creek in Michigan City by assembling a replacement bridge adjacent to the current bridge. During a scheduled 14-day service outage (September 3–17, 2013), the existing bridge will be removed and the new bridge will be rolled into position and rail traffic will be restored. *Final agency actions:* No use determination of Section 4(f) resources; Section 106 finding of no adverse effect; project-level air quality conformity; and Finding of No Significant Impact (FONSI), dated July 15, 2013. *Supporting documentation:* Environmental Assessment, dated June 2013.

4. *Project name and location:* 95th Street Terminal Improvement Project, City of Chicago, IL. *Project sponsor:* Chicago Transit Authority (CTA). *Project description:* The proposed project will rehabilitate the existing terminal on the north side of 95th Street and would allow the existing terminal to be expanded to create new entrances directly on 95th Street. A new terminal on the south side of 95th Street would also be constructed to accommodate additional buses and provide a second station house. A pedestrian bridge above 95th Street would provide a connection for pedestrians to cross between each station house. *Final agency actions:* Finding of No Significant Impact (FONSI), dated April 19, 2013, and Amended FONSI, dated July 17, 2013. *Supporting documentation:* Environmental Assessment, dated February 8, 2013; Additional Traffic and Air Quality Analysis Technical Memorandum, dated June 18, 2013; and supporting documentation submitted by the CTA for the 95th Street Terminal Improvement Project.

5. *Project name and location:* Central Corridor Light Rail Transit Project, City of Minneapolis, MN. *Project sponsor:* Metropolitan Council. *Project description:* The proposed project includes 10.9 miles of fixed guideway, including 9.7 miles of new guideway and 1.2 miles of shared guideway with the existing Hiawatha (Blue Line) LRT. There will be 23 stations along the line, including five shared stations with the Blue Line LRT. The proposed project will provide a transit connection from downtown Minneapolis to downtown St. Paul, via the University of Minnesota and State Capitol complex in the City of St. Paul. *Final agency actions:* Amended Record of Decision (ROD), dated August 13, 2013. *Supporting documentation:* Central Corridor Light Rail Transit Project Final Environmental Impact Statement and Section 4(f) Evaluation, dated June 18, 2009, and Central Corridor Light Rail Transit Supplemental Final Environmental Impact Statement Construction Related Potential Impacts on Business Revenue, dated May 24, 2013.

Lucy Garliauskas,

Associate Administrator Planning and Environment.

[FR Doc. 2013–20843 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA–2013–0035]

Notice of Proposed Buy America Waiver for a Video Ready Access Device Cabinet

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of proposed Buy America waiver and request for comment.

SUMMARY: The Charlotte Area Transit System (CATS) requested a waiver of the Federal Transit Administration (FTA) Buy America rules for a Video Ready Access Device (VRAD) cabinet. The VRAD cabinet is needed for an AT&T utility relocation associated with the LYNX Blue Line Extension project. This notice is to inform the public of the waiver request, and to seek public comment to inform FTA's decision whether to grant the request.

DATES: Comments must be received by September 26, 2013. Late-filed comments will be considered to the extent practicable.

ADDRESSES: Please submit your comments by one of the following means, identifying your submissions by docket number FTA–2013–0035:

1. *Web site: http://www.regulations.gov.* Follow the instructions for submitting comments on the U.S. Government electronic docket site.

2. *Fax:* (202) 493–2251.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M–30, West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M–30, West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: All submissions must make reference to the ''Federal Transit Administration'' and include docket number FTA–2013–0035. Due to the security procedures in effect since October 2011, mail received through the U.S. Postal Service may be subject to delays. Parties making submissions responsive to this notice should consider using an express mail firm to ensure the prompt filing of any submissions not filed electronically or by hand. Note that all submissions received, including any personal information therein, will be posted without change or alteration to *http://*

www.regulations.gov. For more information, you may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000 (65 FR 19477), or you may visit *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Mary J. Lee, FTA Attorney-Advisor, at (202) 366–0985 or *mary.j.lee@dot.gov.*

SUPPLEMENTARY INFORMATION: The purpose of this notice is to provide notice and seek comment on whether FTA should grant a non-availability waiver for the procurement of a VRAD cabinet that will be used in a utility relocation performed by AT&T. This utility relocation will be performed in connection with the CATS LYNX Blue Line Extension (BLE) project, which is an FTA-funded project.

With certain exceptions, FTA's Buy America requirements prevent FTA from obligating an amount that may be appropriated to carry out its program for a project unless ''the steel, iron, and manufactured goods used in the project are produced in the United States.'' 49 U.S.C. 5323(j)(1). A manufactured product is considered produced in the United States if: (1) all of the manufacturing processes for the product must take place in the United States; and (2) all of the components of the product must be of U.S. origin. A component is considered of U.S. origin if it is manufactured in the United States, regardless of the origin of its subcomponents. 49 CFR 661.5(d). If, however, FTA determines that ''the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality,'' then FTA may issue a waiver (non-availability waiver). 49 U.S.C. 5323(j)(2)(B); 49 CFR 661.7(c).

On May 24, 2013, the City of Charlotte requested an interpretation of FTA's Buy America rules with respect to the utility relocation performed for the LYNX BLE project. In an August 8, 2013 letter to the City of Charlotte, FTA determined that the VRAD cabinet is a component of the communications network end product. Having done its own analysis prior to FTA's August 8, 2013 determination, on June 4, 2013, the City of Charlotte requested a non-availability waiver for the VRAD cabinet. According to the City of Charlotte, AT&T has been working diligently to find U.S. manufactured components and has been able to identify U.S. manufacturers of most of the components necessary for the utility relocation. The only component for which AT&T is unable to find a U.S. manufacturer is the VRAD cabinet.[1]

The purpose of this notice is to publish the request and seek public comment from all interested parties in accordance with 49 U.S.C. 5323(j)(3)(A). Comments will help FTA understand completely the facts surrounding the request, including the effects of a potential waiver and the merits of the request. A full copy of the request has been placed in docket number FTA–2013–0035.

Dana C. Nifosi,

Deputy Chief Counsel.

[FR Doc. 2013–20824 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–57–P

[1] Initially, the City of Charlotte requested Buy America waivers for the VRAD cabinet and the Cross Connect cabinet. Since then, however, AT&T has been able to identify a U.S. manufacturer of the Cross Connect cabinet.

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2013–0095]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel MOVIN' ON; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before September 26, 2013.

ADDRESSES: Comments should refer to docket number MARAD–2013–0095. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION:

As described by the applicant the intended service of the vessel MOVIN' ON is: *Intended Commercial Use of Vessel:* ''Coastal day charter.'' Geographic Region: ''California.''

The complete application is given in DOT docket MARAD–2013–0095 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.
Dated: August 20, 2013.

Christine Gurland,

Acting Secretary, Maritime Administration.

[FR Doc. 2013–20875 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2013 0094]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel MELE MAKANI; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before September 26, 2013.

ADDRESSES: Comments should refer to docket number MARAD–2013–0094. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION:

As described by the applicant the intended service of the vessel MELE MAKANI is:

Intended Commercial Use of Vessel: ''Sight seeing''

Geographic Region: ''Hawaii''

The complete application is given in DOT docket MARAD–2013–0094 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: August 20, 2013.

Christine Gurland,

Acting Secretary, Maritime Administration.

[FR Doc. 2013–20876 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2013 0093]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SECOND WIND; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before September 26, 2013.

ADDRESSES: Comments should refer to docket number MARAD–2013–0093. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SECOND WIND is:

Intended Commercial Use of Vessel: ''Breakfast, lunch, and dinner cruises featuring gourmet meal experiences on the water.''

Geographic Region: ''Florida''

The complete application is given in DOT docket MARAD–2013–0093 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register**

published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: August 20, 2013.

Christine Gurland,

Acting Secretary, Maritime Administration.

[FR Doc. 2013–20877 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2012–0179]

Agency Information Collection Request

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of submission of information collection request to Office of Management and Budget (OMB).

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on January 16, 2013.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street NW., Washington, DC 20503, Attention: NHTSA Desk Officer.

Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Julie Kang, Ph.D., Contracting Officer's Technical Representative Task Order Manager, Office of Human-Vehicle Performance Research (NVS–331), National Highway Traffic Safety Administration, 1200 New Jersey Ave SE., Washington, DC 20590. Dr. Kang's phone number is 202–366–7664. Her email address is *julie.kang@dot.gov*.

SUPPLEMENTARY INFORMATION:

Title: Driver Monitoring of Inattention and Impairment Using Vehicle Equipment (Phase 2)

OMB Control Number: None

Type of Request: New Information Collection

Abstract: In 2011, the National Highway Traffic Safety Administration reported 29,757 fatal vehicle crashes in the United States. A large proportion of these crashes were caused by one of three factors: 31% alcohol intoxication, 2.4% drowsy, and 7.1% distracted cases. In an effort to understand potential mitigation strategies, NHTSA has contracted with the University of Iowa's National Advanced Driving Simulator (NADS) to develop and evaluate vehicle-based algorithms to detect impairment and inattention.

NHTSA proposes an experimental driving simulator study to develop algorithms for detecting impaired driving. This study will measure the ability of subjects to maintain lane position and vehicle speed relative to the posted speed limit while either drowsy or distracted by a secondary task while driving a driving simulator. NHTSA is requesting clearance to collect voluntary information from subjects to determine their eligibility to participate and remain in the driving simulator study.

Affected Public: Voluntary study participants.

Number of Respondents: Under this proposed effort, the University of Iowa, National Advanced Driving Simulator will contact approximately 168 individuals by phone and use a screening questionnaire to determine their eligibility for the study. It is estimated that 96 of these individuals will qualify to be enrolled into the study. The 96 individuals who will be contacted are persons in Eastern Iowa who have volunteered to take part in driving simulation studies in the past. Businesses are ineligible for the sample and will not be contacted.

Number of Responses: Each respondent will complete the process once.

Total Annual Burden Hours: It is estimated that the total respondent burden will be 247 hours. Respondents who complete the phone screening will have a burden of 10 minutes each for a total of 28 hours. Respondents who go on to be enrolled in the study will have an additional burden of 61 minutes for a total of 219 hours. There are no additional costs to respondents

Frequency of Collection: This is a one-time collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.95.

Issued in Washington, DC on August 22, 2013.

Nathaniel Beuse,

Associate Administrator, Office of Vehicle Safety Research.

[FR Doc. 2013–20858 Filed 8–26–13; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Proposed Data Collection; Comment Request: Community Development Financial Institutions Fund: Comment Request on Continuing Data Collection Through the Community Investment Impact System (CIIS) of Information From Community Development Financial Institutions Program Awardees, Native American CDFI Assistance Program Awardees, and New Markets Tax Credit Program Allocatees

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 continuing information collections through CIIS, as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A). Currently, the Community Development Financial Institutions (CDFI) Fund, Department of the Treasury, is soliciting comments concerning the Community Development Financial Institutions FundAwardee/Allocatee Annual Report (OMB Number 1559–0027), comprising the Institution Level Report (ILR) and the Transaction Level Report (TLR). The two documents comprise certain reporting requirements for participants in the CDFI Program, the Native American CDFI Assistance (NACA) Program, and the New Markets Tax Credits (NMTC) Program. The Annual Report forms (and related documents, including the CDFI Program assistance agreement, the NACA Program assistance agreement, and the NMTC Program allocation agreement) may be found at the CDFI Fund's Web site at *www.cdfifund.gov*.

DATES: Written comments must be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: All comments on the Annual CIIS Report must be submitted in writing and sent to Greg Bischak, Program Manager for Financial Strategies and Research, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 1500 Pennsylvania Ave. NW., Washington, DC 20220, by email to *cdfihelp@cdfi.treas.gov,* or by facsimile to (202) 508–0083. Please note this is not a toll free number.

FOR FURTHER INFORMATION CONTACT: Greg Bischak, Program Manager for Financial Strategies and Research, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 1500 Pennsylvania Ave. NW., Washington, DC 20220, by email to *cdfihelp@cdfi.treas.gov,* or by facsimile to (202) 508–0083. Please note this is not a toll free number.

SUPPLEMENTARY INFORMATION:

Title: Comment Request on Continuing Collection of Information from Community Development Financial Institutions Program Awardees, Native American CDFI Assistance Program Awardees, and New Markets Tax Credit Program Allocatees.

OMB Number: 1559–0027.

Abstract: The mission of the CDFI Fund is to expand the capacity of financial institutions to provide credit, capital and financial services to underserved populations and communities in the United States. The CDFI Fund's strategic goal is to improve the economic conditions of underserved communities by providing capital and technical assistance to CDFIs, capital to insured depository institutions, and NMTC allocations to Community Development Entities (CDEs), which provide credit, capital, financial services, and development services to these markets. The CDFI Fund certifies entities as CDFIs and/or CDEs.

Annual Reporting Requirements: The Annual Report consists of quantitative information at the institution and transaction levels for CDFIs and CDEs and is used to assess: (1) The awardee's/allocatee's activities as detailed in its application materials; (2) the awardee's/allocatee's approved use of the assistance; (3) the awardee's/allocatee's financial condition; (4) the socio-economic characteristics of awardee's/allocatee's borrowers/investees, loan and investment terms, repayment status, and community development outcomes; and (5) overall compliance with the terms and conditions of the assistance/allocation agreement entered into by the CDFI Fund and the awardee/allocatee.

A CDFI Program awardee or a NACA Program awardee must submit an Annual Report that comprises several sections, depending on the program and the type of award. The specific components that comprise an awardee's Annual Report are set forth in the assistance agreement that the awardee enters into with the CDFI Fund in order to receive a CDFI Program or a NACA Program award. In summary:

1. A CDFI Program or NACA/NATA Program awardee that is a non-regulated entity and that receives Financial Assistance (FA) only must submit an Annual Report that comprises: (i) A Financial Report (Financial Statement) reviewed or audited by an independent certified public accountant; (ii) Single Audit A–133 (if applicable); (iii) an Institution Level Report (ILR) and a Transaction Level Report (TLR) (which include, among others, questions that measure the awardee's achievement of the Performance Goals and Measures set forth in its assistance agreement); (iv) a Uses of Financial Assistance and Matching Funds Report; and (v) an Explanation of Noncompliance (if applicable).

2. A CDFI Program or NACA Program awardee that is a regulated entity and that receives FA only must submit an Annual Report that comprises: (i) An ILR and a TLR; (ii) a Uses of Financial Assistance and Matching Funds Report; (iii) an Explanation of Noncompliance (if applicable); and (iv) a Single Audit A–133 (if applicable).

3. A CDFI Program or NACA Program awardee that receives an award from the CDFI Fund that is in the form of an equity investment must also submit a Shareholder Report.

4. A CDFI Program or NACA Program awardee that receives Technical Assistance (TA) must submit an Annual Report that comprises: (i) The documents set forth in either (1) or (2) above, as applicable, if the awardee also receives FA; (ii) Uses of Technical Assistance Report; and (iii) OMB form 269A (Financial Status Report), which can be found on the Web site at *www.cdfifund.gov*.

A NMTC Program allocatee must submit an Annual Report that comprises: (i) A financial statement that has been audited by an independent certified public accountant; (ii) an ILR (including the IRS Compliance Questions section), if the allocatee has issued any Qualified Equity Investments; and (iii) a TLR if the allocatee has issued any Qualified Low-Income Community Investments in the form of loans or investments. The components that comprise an allocatee's Annual Report are set forth in the allocation agreement that the allocatee enters into with the CDFI Fund in order to receive a NMTC Program allocation.

Current Action: Extension.

Type of review: Renewal Annual Report, OMB 1559–0027.

Affected Public: Not-for-profit institutions, businesses or other for-profit institutions and tribal entities.

CDFI Awardees/NMTC Allocatees Estimated Burden

Estimated Number of Annual Respondents:
- CDFI Annual ILR only: 107 (TA 66, FA 41)
- CDFI Annual TLR and ILR: 245
- NMTC Annual Report: 303

Burden per Report Type:
- CDFI Program TA awardees Estimated Time Burden: 22 hours
- CDFI Program FA ILR only awardees Estimated Time Burden: 32 hours
- CDFI Program FA TLR/ILR awardees Estimated Time Burden: 100 hours
- NMTC Program allocatees Estimated Time Burden: 65 hours

Total Estimated Burden per Reporting Type:
- CDFI Program TA reports: 1,452 hours
- CDFI Program FA ILR only reports: 1,312 hours
- CDFI Program FA TLR/ILR reports: 24,500 hours
- NMTC Program CDE reports: 19,695 hours

Estimated Total Annual Burden Hours = 46,959 hours

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 all aspects of the information collections, but commentators may wish to focus particular attention on: (a) The cost for CDFIs and CDEs to operate and maintain the services/systems required to provide the required information; (b) ways to enhance the quality, utility, and clarity of the information to be collected; (c) whether the collection of information is necessary for the proper evaluation of the effectiveness and impact of the CDFI Fund's programs, including whether the information shall have practical utility; (d) the accuracy of the CDFI Fund's estimate of the burden of the collection of information; (e) ways to minimize the burden of the collection of information including through the use of technology, such as software for internal accounting and geocoding to

capture geographic detail while streamlining and aggregating TLR reporting for upload to CIIS, and; (f) what methods might be used to improve the data quality, internal accounting and efficiency of reporting transactions for serving other targeted populations.

Authority: 12 U.S.C. 4707 et seq.; 26 U.S.C. 45D; 12 CFR part 1805.

Dated: August 22, 2013.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2013–20891 Filed 8–26–13; 8:45 am]

BILLING CODE 4810–70–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Additional Designation, Foreign Narcotics Kingpin Designation Act

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (''OFAC'') is publishing the name of one individual whose property and interests in property has been blocked pursuant to the Foreign Narcotics Kingpin Designation Act (''Kingpin Act'') (21 U.S.C. 1901–1908, 8 U.S.C. 1182).

DATES: The designation by the Director of OFAC of the individual identified in this notice pursuant to section 805(b) of the Kingpin Act is effective on August 21, 2013.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Sanctions Compliance & Evaluation, Office of Foreign Assets Control, U.S. Department of the Treasury, Washington, DC 20220, Tel: (202) 622–2490.

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

This document and additional information concerning OFAC are available on OFAC's Web site at *http://www.treasury.gov/ofac* or via facsimile through a 24-hour fax-on-demand service at (202) 622–0077.

Background

The Kingpin Act became law on December 3, 1999. The Kingpin Act establishes a program targeting the activities of significant foreign narcotics traffickers and their organizations on a worldwide basis. It provides a statutory framework for the imposition of sanctions against significant foreign narcotics traffickers and their organizations on a worldwide basis, with the objective of denying their businesses and agents access to the U.S. financial system and the benefits of trade and transactions involving U.S. companies and individuals.

The Kingpin Act blocks all property and interests in property, subject to U.S. jurisdiction, owned or controlled by significant foreign narcotics traffickers as identified by the President. In addition, the Secretary of the Treasury, in consultation with the Attorney General, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security may designate and block the property and interests in property, subject to U.S. jurisdiction, of persons who are found to be: (1) Materially assisting in, or providing financial or technological support for or to, or providing goods or services in support of, the international narcotics trafficking activities of a person designated pursuant to the Kingpin Act; (2) owned, controlled, or directed by, or acting for or on behalf of, a person designated pursuant to the Kingpin Act; or (3) playing a significant role in international narcotics trafficking.

On August 21, 2013, the Director of OFAC designated the following individual whose property and interests in property are blocked pursuant to section 805(b) of the Kingpin Act:

VILLARROEL RAMIREZ, Vassyly Kotosky (a.k.a. VILLARROEL KOTOSKY, Angel); DOB 27 Mar 1972; POB Caracas, Venezuela; nationality Venezuela; citizen Venezuela; Cedula No. 11295239 (Venezuela) (individual) [SDNTK].

Dated: August 21, 2013.

Barbara C. Hammerle,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2013–20829 Filed 8–26–13; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Additional Designations, Foreign Narcotics Kingpin Designation Act

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (''OFAC'') is publishing the name of one individual whose property and interests in property have been blocked pursuant to the Foreign Narcotics Kingpin Designation Act (''Kingpin Act'') (21 U.S.C. 1901–1908, 8 U.S.C. 1182).

DATES: The designation by the Director of OFAC of the individual identified in this notice pursuant to section 805(b) of the Kingpin Act is effective on August 20, 2013.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Sanctions Compliance & Evaluation, Office of Foreign Assets Control, U.S. Department of the Treasury, Washington, DC 20220, Tel: (202) 622–2490.

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

This document and additional information concerning OFAC are available on OFAC's Web site at *http://www.treasury.gov/ofac* or via facsimile through a 24-hour fax-on-demand service at (202) 622–0077.

Background

The Kingpin Act became law on December 3, 1999. The Kingpin Act establishes a program targeting the activities of significant foreign narcotics traffickers and their organizations on a worldwide basis. It provides a statutory framework for the imposition of sanctions against significant foreign narcotics traffickers and their organizations on a worldwide basis, with the objective of denying their businesses and agents access to the U.S. financial system and the benefits of trade and transactions involving U.S. companies and individuals.

The Kingpin Act blocks all property and interests in property, subject to U.S. jurisdiction, owned or controlled by significant foreign narcotics traffickers as identified by the President. In addition, the Secretary of the Treasury, in consultation with the Attorney General, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security may designate and block the property and interests in property, subject to U.S. jurisdiction, of persons who are found to be: (1) Materially assisting in, or providing financial or technological support for or to, or providing goods or services in support of, the international narcotics trafficking activities of a person designated pursuant to the Kingpin Act; (2) owned, controlled, or directed by, or acting for or on behalf of, a person designated pursuant to the

Kingpin Act; or (3) playing a significant role in international narcotics trafficking.

On August 20, 2013, the Director of OFAC designated the following individual whose property and interests in property are blocked pursuant to section 805(b) of the Kingpin Act.

Individual

1. ORELLANA MORALES, Jairo Estuardo (a.k.a. ''EL PELON''), Aldea Dona Maria, Zacapa, Guatemala; DOB 28 Sep 1973; POB Zacapa, Guatemala; nationality Guatemala; citizen Guatemala; Cedula No. R–19 42080 (Guatemala); Passport 111904000420805 (Guatemala) issued 28 Aug 2008 expires 28 Aug 2013 (individual) [SDNTK].

Dated: August 20, 2013.

Barbara C. Hammerle,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2013–20832 Filed 8–26–13; 8:45 am]

BILLING CODE 4811–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

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. Currently, the IRS is soliciting comments concerning carryover allocations and other rules relating to the low-income housing credit, and the section 42 utility allowance regulations concerning the low-income housing tax credit.

DATES: Written comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette Lawrence, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to LaNita Van Dyke at Internal Revenue Service, Room 6511, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet at *Lanita.VanDyke@irs.gov*.

SUPPLEMENTARY INFORMATION:

Title: Carryover Allocations and Other Rules Relating to the Low-Income Housing Credit.

OMB Number: 1545–1102.

Regulation Project Number: TD 8520 (Final), TD 9420 (Final).

Abstract: The regulations provide the Service the information it needs to ensure that low-income housing tax credits are being properly allocated under section 42. This is accomplished through the use of carryover allocation documents, election statements, and binding agreements executed between taxpayers (e.g. individuals, businesses, etc.) and housing credit agencies.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 4,430.

Estimated Time per Respondent: 1 hour, 50 minutes.

Estimated Total Annual Burden Hours: 4,008.

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 2, 2013.

R. Joseph Durbala,

IRS Tax Analyst.

[FR Doc. 2013–20784 Filed 8–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 13094

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. Currently, the IRS is soliciting comments concerning Form 13094, Recommendation for Juvenile Employment with the Internal Revenue Service.

DATES: Written comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette Lawrence, 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 LaNita Van Dyke at Internal Revenue Service, Room 6511, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet at *Lanita.VanDyke@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Recommendation for Juvenile Employment with the Internal Revenue Service.

OMB Number: 1545–1746.

Form Number: 13049.

Abstract: This form is used for juveniles seeking employment with the IRS. The data collected on Form 13094 provides the Internal Revenue Service with a consistent method for making suitability determinations for employment.

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 and not-for-profit institutions.

Estimated Number of Respondents: 2,500.

Estimated Number of Respondents: 5 minutes.

Estimated Total Annual Burden Hours: 208.

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 2, 2013.

R. Joseph Durbala,

IRS Tax Analyst.

[FR Doc. 2013–20783 Filed 8–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 1099–K

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. Currently, the IRS is soliciting comments concerning Form 1099–K, Payment Card and Third Party Network Transactions.

DATES: Written comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette Lawrence, 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 Kerry Dennis, at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at *Kerry.Dennis@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Payment Card and Third Party Network Transactions.

OMB Number: 1545–2205.

Form Number: Form 1099–K.

Abstract: This form is in response to section 3091(a) of Public Law 110–289, the Housing Assistance Tax Act of 2008 (Div. C of the Housing and Economic Recovery Act of 2010). The form reflects payments made in settlement of merchant card and third party network transactions for purchases of goods and/or services made with merchant cards and through third party networks.

Current Actions: The department's most recent and updated estimate in the number of responses has increased by 8,971,742. In addition to the change in estimated number of responses, a change in the forms number of lines this results in an overall burden increase of 4,037,564. Form changes include the addition of a payment identification settlement box so that payees know the source of the information on the form. An additional checkbox was created for filers to check their identity as payment settlement entities (PSE) or as electronic payment. The reporting of backup withholding is now reported on Box 4 as determined in Notice 2011–88, which postponed the effective date for withholdings until December 31, 2012 as required in section 6050W. A checkbox was also added for 2nd TIN notices if the filer was notified twice within three calendar years that the payee provided an incorrect TIN, so that the IRS will not send any further notices about the account.

Type of Review: Revision of a currently approved collection.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 8,973,742.

Estimated Time per Respondent: 27 minutes.

Estimated Total Annual Burden Hours: 4,038,184.

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 15, 2013.

R. Joseph Durbala,

IRS Reports Clearance Officer.

[FR Doc. 2013–20780 Filed 8–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

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 patient protection and affordable care act; preexisting condition exclusions, lifetime and annual limits, rescissions, and patient protections.

DATES: Written comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette Lawrence, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to LaNita Van Dyke, (202) 622–3215, or at Internal Revenue Service, Room 6511, 1111 Constitution Avenue NW., Washington DC 20224, or through the Internet, at *Lanita.VanDyke@irs.gov.*

Title: Patient Protection and Affordable Care Act; Preexisting Conditions Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections. Enrollment Opportunity Notice Relating to Lifetime Limits.

OMB Number: 1545–2179.

Regulation Project Number: TD 9491

Abstract: This document contains interim final regulations implementing the rules for group health plans and health insurance coverage in the group and individual markets under provisions of the Patient Protection Affordable Care Act regarding preexisting condition exclusions, lifetime and annual dollar limits on benefits, rescissions, and patient protections

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 29,000.

Estimated Total Annual Burden Hours: 1300 Hours.

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 2, 2013.

R. Joseph Durbala,

Tax Analyst.

[FR Doc. 2013–20782 Filed 8–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0703]

Agency Information Collection Activities Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov*. Please refer to ''OMB Control No. 2900–0703'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov*. Please refer to ''OMB Control No. 2900–0703''.

SUPPLEMENTARY INFORMATION:

Title: Dependents' Educational Assistance (DEA) Election Request, VA Form Letter 22–909.

OMB Control Number: 2900–0703.

Type of Review: Revision of an already approved collection.

Abstract: VA must notify eligible dependents of veterans receiving DEA benefits of their option to elect a beginning date to start their DEA benefits. VA will use the data collected on VA Form Letter 22–909 to determine the appropriate amount of benefit is payable to the claimant.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on March 22, 2013, at page 17778.

Affected Public: Individuals or households.

Estimated Annual Burden: 184 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One-time.

Estimated Annual Responses: 735.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20852 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0036]

Agency Information Collection (Statement of Disappearance) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0036'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0036.''

SUPPLEMENTARY INFORMATION:

Title: Statement of Disappearance, VA Form 21–1775.

OMB Control Number: 2900–0036.

Type of Review: Extension of a previously approved collection.

Abstract: VA Form 21–1775 is used to gather information from a claimant to make a decision regarding the unexplained absence of a veteran for over 7 years. The data collected will be used to determine the claimant's entitlement to death benefits.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on June 6, 2013, at page 34173.

Affected Public: Individuals or households.

Estimated Annual Burden: 28 hours.

Estimated Average Burden per Respondent: 2 hours 45 minutes.

Frequency of Response: One-time.

Estimated Number of Respondents: 10.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20898 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0011]

Agency Information Collection (Application for Reinstatement (Insurance Lapsed More Than 6 Months), and Application for Reinstatement (Non Medical—Comparative Health Statement)) Activities Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 et seq.), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0011'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0011.''

SUPPLEMENTARY INFORMATION:

Titles:

a. Application for Reinstatement (Insurance Lapsed More than 6 Months), Government Life Insurance and/or Total Disability Income Provision, VA Form 29–352.

b. Application for Reinstatement (Non Medical—Comparative Health Statement), Government Life Insurance, VA Form 29–353.

OMB Control Number: 2900–0011.

Type of Review: Extension of a currently approved.

Abstract: VA Forms 29–352 and 29–353 are used to apply for reinstatement of insurance and/or Total Disability Income Provision that has lapsed for more than six months. VA uses the information collected to establish the applicant's eligibility for reinstatement.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on May 20, 2013, at page 29436.

Estimated Annual Burden:

a. VA Form 29–352—750 hours.

b. VA Form 29–353—375 hours.

Estimated Average Burden per Respondent:

a. VA Form 29–352—30 minutes.

b. VA Form 29–353—15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents:

a. VA Form 29–352—1,500.

b. VA Form 29–353—1,500.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20879 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0757]

Proposed Information Collection (Supportive Services for Veteran Families (SSVF) Program) Application for Supportive Services Grant)

Activity: Comment Request.

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Health Administration (VHA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each revised collection, and allow 60 days for public

comment in response to the notice. This notice solicits comments on the information needed to provide supportive services grants to private non-profit organizations and consumer cooperatives, who will coordinate or provide supportive services to very low-income Veteran families residing in permanent housing, are homeless and scheduled to become residents of permanent housing within a specified time period.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before October 28, 2013.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov;* or to Cynthia Harvey-Pryor, Veterans Health Administration (10B4), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420; or email: *cynthia.harvey-pryor@va.gov.* Please refer to ''OMB Control No. 2900–0757'' in any correspondence. During the comment period, comments may be viewed online through the FDMS.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor at (202) 461–5870 or fax (202) 495–5397.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility; (2) the accuracy of VHA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Titles: Supportive Services for Veteran Families (SSVF) Program.

a. Application for Supportive Services Grants, VA Form 10–10072
b. Participant Satisfaction Survey, VA Form 10–10072a
c. Quarterly Grantee Performance Report, VA Form 10–10072b
d. Renewal Application, VA Form 10–10072c
e. Applicant Budget Template xls Worksheet

OMB Control Number: 2900–0757.

Type of Review: Revision of an approved collection.

Abstract: The purpose of the Supportive Services for Veteran Families (SSVF) Program is to provide supportive services grants to private non-profit organizations and consumer cooperatives who will coordinate or provide supportive services to very low-income Veteran families who are residing in permanent housing, are homeless and scheduled to become residents of permanent housing within a specified time period, or after exiting permanent housing, are seeking other housing that is responsive to such very low-income veteran family's needs and preferences.

Affected Public: Individuals or households.

Estimated Annual Burden: 3 year average burden hours, 14000.

Estimated Average Burden per Respondent: 35 hours.

Frequency of Response: One-time.

Estimated Number of Respondents: 400.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20817 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0696]

Agency Information Collection (Availability of Educational, Licensing, and Certifications Records) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0696'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0696.''

SUPPLEMENTARY INFORMATION:

Title: Availability of Educational, Licensing, and Certifications Records; 38 CFR 21.4209.

OMB Control Number: 2900–0696.

Type of Review: Revision of a currently approved collection.

Abstract: Educational institutions offering approved courses and licensing and certification organizations offering approved tests are required to make their records and accounts pertaining to eligible claimants available to VA. The data collected will be used to ensure benefits paid under the education programs are correct.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on May 20, 2013, at pages 29435–29436.

Affected Public: Not-for-profit institutions.

Estimated Annual Burden: 9,600 hours.

Frequency of Response: On occasion.

Estimated Average Burden per Respondents: 5 hours.

Estimated Annual Responses: 4,800.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20870 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0568]

Agency Information Collection (Submission of School Catalog to the State Approving Agency) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–21), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov*. Please refer to ''OMB Control No. 2900–0568'' in any correspondence.

FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email: *crystal.rennie@va.gov*. Please refer to ''OMB Control No. 2900–0568.''

SUPPLEMENTARY INFORMATION:

Title: Submission of School Catalog to the State Approving Agency.

OMB Control Number: 2900–0568.

Type of Review: Extension of a previously approved collection.

Abstract: Accredited and nonaccredited educational institutions, with the exceptions of elementary and secondary schools, must submit copies of their catalog to State approving agency when applying for approval of a new course. State approval agencies use the catalog to determine what courses can be approved for VA training. VA pays educational assistance to veterans, persons on active duty or reservists, and eligible persons pursuing an approved program of education. Educational assistance is not payable when claimants pursue unapproved courses.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on June 17, 2013, at page 36305.

Affected Public: Not-for-profit institutions.

Estimated Annual Burden: 2,250 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 9,000.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20868 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0652]

Agency Information Collection (Request for Nursing Home Information in Connection With Claim for Aid and Attendance) Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0652'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0652''.

SUPPLEMENTARY INFORMATION:

Title: Request for Nursing Home Information in Connection with Claim for Aid and Attendance, VA Form 21–0779.

OMB Control Number: 2900–0652.

Type of Review: Extension of a currently approved collection.

Abstract: The data collected on VA Form 21–0779 is used to determine Veterans residing in nursing homes eligibility for pension and aid and attendance. Parents and surviving spouses entitled to service–connected death benefits and spouses of living veterans receiving service connected compensation at 30 percent or higher are also entitled to aid and attendance based on status as nursing home patients.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on May 20, 2013, at pages 29439–29440.

Affected Public: Business or other for–profit.

Estimated Annual Burden: 8,333 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 50,000.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20867 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0758]

Proposed Information Collection (Health Eligibility Center (HEC) New Enrollee Survey); Activity: Comment Request.

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Health Administration (VHA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each extended collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to improve HEC enrollment processes.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before October 28, 2013.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov;* or to Cynthia Harvey-Pryor, Veterans Health Administration (10B4), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420; or email: *cynthia.harvey-pryor@va.gov.* Please refer to ''OMB Control No. 2900–0758'' in any correspondence. During the comment period, comments may be viewed online through the FDMS.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor at (202) 461–5870 or fax (202) 495–5397.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Public Law 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility; (2) the accuracy of VHA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Titles: Health Eligibility Center (HEC) New Enrollee Survey, VA Form 10–0479.

OMB Control Number: 2900–0758.

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

Abstract: The HEC information collection survey will allow Veterans an opportunity to provide anonymous feedback on how well the HEC enrolls new Veterans. HEC will use this feedback to improve the enrollment processes. VA will use the information gathered to determine where and to what extent services are satisfactory, and where and to what extent they are in need of improvement. The information may lead to policy changes which improve Veteran satisfaction with VA Healthcare benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 153 burden hours.

Estimated Average Burden per Respondent: 5.7 minutes.

Frequency of Response: One-time.

Estimated Number of Respondents: 1,055.

Dated: August 22, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20819 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–NEW]

Proposed Information Collection (Principles of Excellence Complaint Intake Questionnaire) Activity; Withdrawal

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice; withdrawal.

SUMMARY: The Department of Veterans Affairs (VA) published a notice in a **Federal Register** on April 30, 2013 (78 FR 25359), inviting the public to comment on a proposed information collection titled ''Principles of Excellence Complaint Intake Questionnaire, VA Form 22–0959''. This document withdraws that notice. However, VA plans to republish a revised notice for this information collection to seek approval to collect the information electronically by leveraging the systems architecture of the Department of Defense's Complaint System.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, at (202) 632–7492.

FR Doc. 2013–10112, published on April 30, 2013 (78 FR 25359), is withdrawn by this notice.

Dated: August 22, 2013.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20842 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0060]

Agency Information Collection (Claim for One Sum Payment (Government Life Insurance)) Activities Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3521), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 26, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0060'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0060.''

SUPPLEMENTARY INFORMATION

Titles:

a. Claim for One Sum Payment (Government Life Insurance), VA Form 29–4125.

b. Claim for Monthly Payments (National Service Life Insurance), VA Form 29–4125a.

c. Claim for Monthly Payments (United States Government Life Insurance, (USGLI)), VA Form 29–4125k.

OMB Control Number: 2900–0060.

Type of Review: Extension of a currently approved collection.

Abstract: Beneficiaries of deceased Veterans must complete VA Form 29–4125 to apply for proceeds of the Veteran's Government Insurance policies. If the beneficiary desires monthly installment in lieu of one lump payment he or she must complete VA Forms 29–4125a and 29–4125k. VA uses the information to determine the claimant's eligibility for payment of insurance proceeds and to process monthly installment payments.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on March 26, 2013, at pages 18424–18425.

Affected Public: Individuals or households.

Estimated Annual Burden:

a. VA Form 29–4125—8,200 hours.
b. VA Form 29–4125a—185 hours.
c. VA Form 4125k—125 hours.

Estimated Average Burden per Respondents:

a. VA Form 29–4125—6 minutes.
b. VA Form 29–4125a—6 minutes.
c. VA Form 4125k—15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents:

a. VA Form 29–4125—82,000.
b. VA Form 29–4125a—1,850.
c. VA Form 4125k—500.

Dated: August 22, 2013.

By direction of the Secretary:

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–20889 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Clinical Science Research and Development Service Cooperative Studies Scientific Evaluation Committee, Notice of Meeting

The Department of Veterans Affairs gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that the Clinical Science Research and Development Service Cooperative Studies Scientific Evaluation Committee will hold a meeting on September 18, 2013, at 131 M Street NE., Washington, DC. The meeting is scheduled to begin at 8:30 a.m. and end at 3 p.m.

The Committee advises the Chief Research and Development Officer through the Director of the Clinical Science Research and Development Service on the relevance and feasibility of proposed projects and the scientific validity and propriety of technical details, including protection of human subjects.

The session will be open to the public for approximately 30 minutes at the start of the meeting for the discussion of administrative matters and the general status of the program. The remaining portion of the meeting will be closed to the public for the Committee's review, discussion, and evaluation of research and development applications.

During the closed portion of the meeting, discussions and recommendations will deal with qualifications of personnel conducting the studies, staff and consultant critiques of research proposals and similar documents, and the medical records of patients who are study subjects, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. As provided by section 10(d) of Public Law 92–463, as amended, closing portions of this meeting is in accordance with 5 U.S.C. 552b(c)(6) and (c)(9)(B).

No oral comments will be accepted from the public for the open session. Those who plan to attend or wish further information should contact Dr. Grant Huang, Deputy Director, Cooperative Studies Program (10P9CS), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, at (202) 443–5700 or by email at *grant.huang@va.gov.* Written comments may be submitted to Dr. Huang at the same address and email above.

By Direction of the Secretary.
Dated: August 21, 2013.

Vivian Drake,

Committee Management Officer.

[FR Doc. 2013–20777 Filed 8–26–13; 8:45 am]

BILLING CODE 8320–01–P

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