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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 986

[Doc. No. AMS–SC–17–0027; SC17–986–1 FR]

Pecans Grown in the States of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas; Establishment of Assessment Rates

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This rule implements a recommendation from the American Pecan Council (Council) to establish the initial assessment rates for the 2016–17 and subsequent fiscal years at $0.03 per pound for improved varieties, $0.02 per pound for native and seedling varieties, and $0.02 per pound for substandard pecans handled under the pecan marketing order (order). The Council locally administers the order and is comprised of growers and handlers of pecans operating within the production area and a public member. Assessments upon pecan handlers will be used by the Council to fund reasonable and necessary expenses of the program. The fiscal year begins October 1 and ends September 30. The assessment rates will remain in effect indefinitely unless modified, suspended, or terminated.

DATES: Effective September 20, 2017.

FOR FURTHER INFORMATION CONTACT: Jennie M. Varela, Marketing Specialist, or Christian D. Nissen, Regional Director, Southeast Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (863) 324–3375, Fax: (863) 291–8614, or Email: *Jennie.Varela@ams.usda.gov* or *Christian.Nissen@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Richard Lower, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202) 720–8938, or Email: *Richard.Lower@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement and Order No. 986 (7 CFR part 986), regulating the handling of pecans grown in the states of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (USDA) is issuing this rule in conformance with Executive Orders 13563 and 13175. This rule does not meet the definition of a significant regulatory action contained in section 3(f) of Executive Order 12866 and is not subject to review by the Office of Management and Budget (OMB). Additionally, because this rule does not meet the definition of a significant regulatory action, it does not trigger the requirements contained in Executive Order 13771. *See* OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017, titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the marketing order now in effect, pecan handlers are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rates as issued herein will be applicable to all assessable pecans beginning with the 2016–17 fiscal year that began on October 1, 2016, and continue until amended, suspended, or terminated.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

This rule establishes assessment rates for the 2016–17 and subsequent fiscal years at $0.03 per pound for improved varieties and $0.02 per pound for native and seedling varieties and for substandard pecans handled. The assessment rates are applicable to all assessable pecans beginning on October 1, 2016, and continue until amended, suspended, or terminated.

The order provides authority for the Council, with the approval of USDA, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Council are growers and handlers of pecans and a public member. They are familiar with the Council's needs and with the costs for goods and services in their respective local areas and are thus in a position to formulate an appropriate budget and assessment rates. The assessment rates are formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

For the 2016–17 and subsequent fiscal years, the Council recommended, and USDA approved, assessment rates that would continue in effect from fiscal year to fiscal year unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Council or other information available to USDA.

The Council met on November 17, 2016, and unanimously recommended 2016–17 expenditures of $6,000,000 and assessment rates of $0.03 per pound for improved varieties, $0.02 per pound for native and seedling varieties, and $0.02 per pound for substandard pecans handled. These are the first budget of

expenditures and assessment rates established under this order.

The major expenditures recommended by the Council for the 2016–17 year include $3,850,000 for marketing and promotion, $900,000 for administration, $250,000 for reporting and statistics, and $200,000 for compliance.

The assessment rates recommended by the Council were derived by dividing anticipated expenses by expected shipments of pecans. Pecan shipments for the year are estimated at 260,000,000 pounds, with about 75 percent, or an estimated 195 million pounds of improved varieties and about 25 percent of native and seedling varieties and substandard pecans. This should provide adequate assessment income to cover the budgeted expenses and establish the authorized reserve. Income derived from handler assessments should be adequate to cover budgeted expenses. As the Council has no established reserve, its budget also allocated $500,000 for reserve funds to be carried into the next fiscal year. This will be within the maximum permitted by the order of approximately three fiscal years' expenses. If the assessment rates generate less money than is anticipated, the Council and the Agricultural Marketing Service (AMS) will adjust the budget accordingly.

Although these assessment rates will be in effect for an indefinite period, the Council will continue to meet prior to or during each fiscal year to recommend a budget of expenses and consider recommendations for modification of the assessment rates. The dates and times of Council meetings are available from the Council or USDA. Council meetings are open to the public, and interested persons may express their views at these meetings. USDA will evaluate Council recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking will be undertaken as necessary. The Council's budget for subsequent fiscal years would be reviewed and, as appropriate, approved by USDA.

Final Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS has considered the economic impact of this rule on small entities. Accordingly, AMS has prepared this final regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 2,500 producers of pecans in the production area and approximately 250 handlers subject to regulation under the marketing order. Small agricultural producers are defined by the Small Business Administration as those having annual receipts less than $750,000, and small agricultural service firms are defined as those whose annual receipts are less than $7,500,000 (13 CFR 121.201).

According to information from the National Agricultural Statistics Service (NASS), the average grower price for pecans during the 2015–16 season was $2.20 per pound, and 254 million pounds were utilized. The value for pecans in that year totaled $558.8 million ($2.20 per pound multiplied by 254 million pounds). Taking the total value of production for pecans and dividing it by the total number of pecan producers provides a return per grower of $223,520. Using the average price and utilization information, and assuming a normal distribution, the majority of growers have annual receipts of less than $750,000.

Evidence presented at the order promulgation hearing indicates an average handler margin of $0.58 per pound for in-shell pecans for an estimated handler price of $2.78 per pound. With a total 2015 production of 254 million pounds, the total value of production in 2015 was $706.12 million ($2.78 per pound multiplied by 254 million pounds). Taking the total value of production for pecans and dividing it by the total number of pecan handlers provides a return per handler of $2,824,480. Using this estimated price, the utilization volume, number of handlers, and assuming a normal distribution, the majority of handlers have annual receipts of less than $7,500,000. Thus, the majority of producers and handlers of pecans grown in the states of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas may be classified as small entities.

This rule establishes the assessment rates to be collected from handlers for the 2016–17 and subsequent fiscal years. The Council unanimously recommended 2016–17 expenditures of $6,000,000 and an assessment rate of $0.03 per pound for improved varieties, $0.02 per pound for native and seedling varieties, and $0.02 per pound for substandard pecans handled. The quantity of pecans for the 2016–17 year is estimated at 260,000,000 pounds, with about 75 percent, or 195 million pounds, of improved varieties and about 25 percent of native and seedling varieties and substandard pecans. This should provide adequate assessment income to cover the budgeted expenses and establish the authorized reserve. Income derived from handler assessments should be adequate to cover budgeted expenses. As the Council has no established reserve, its budget also allocated $500,000 for reserve funds to be carried into the next fiscal year. This will be within the maximum permitted by the order of approximately three fiscal years' expenses. If the assessment rates generate less money than is anticipated, the Council and AMS will adjust the budget accordingly.

The major expenditures recommended by the Council for the 2016–17 fiscal year include $3,850,000 for marketing and promotion, $900,000 for administration, $250,000 for reporting and statistics, and $200,000 for compliance. The Council's budget also includes a reserve of $500,000.

These are initial budget expenditures and assessment rates for the order. The order establishes a range of assessment rates that are permissible during the initial four years of the order. Specifically, improved varieties shall be initially assessed at $0.02 to $0.03 per pound and native, seedling, and substandard pecans shall be initially assessed at $0.01 to $0.02 per pound. Prior to arriving at this budget and assessment rates, the Council considered information from various sources, such as the Council's Governance Committee and its Marketing, Research, and Development Committee. Alternative expenditure levels were discussed by these groups, based upon the relative value of various activities to the pecan industry.

The Council also considered different assessment levels. Some members expressed concern regarding a $0.02 assessment on native, seedling, and substandard pecans, given the prices of those pecans. Another member suggested the idea of establishing a lower rate for substandard pecans. The need to collect sufficient assessments to fund the start-up costs for the order and the development of a marketing program was also noted. After consideration and discussion, the Council unanimously supported the levels as recommended.

A communication from one of the states in the production area that recommended postponing the

establishment of an assessment rate was also considered. The Council determined that waiting until the next fiscal year to establish assessment rates would be costly in terms of time lost for a program that had been anticipated by the industry to improve its marketing. The Council also recognized that the industry had been notified through multiple outlets of communication of the possible range of assessments in the order. The Council expressed a preference to establish these rates and begin its work immediately rather than borrowing funds and being limited in its operations until the coming fiscal year. Therefore, these alternatives were rejected, and the Council ultimately determined that 2016–17 expenditures of $6,000,000 were appropriate and the recommended assessment rates would generate sufficient revenue to meet its expenses.

A review of historical information and preliminary information pertaining to the upcoming production year indicates the grower price for the 2016–17 season could range between $1.73 and $2.31 per pound for improved varieties, and between $0.88 and $1.36 per pound for native and seedling pecans. Therefore, the estimated assessment revenue for the 2016–17 crop year as a percentage of total grower revenue could range between 1.3 and 1.7 percent for improved pecans and 1.5 and 2.2 percent for native and seedling pecans.

This action establishes an assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be offset by the benefits derived by the operation of the marketing order. In addition, the Council's meeting was widely publicized throughout the pecan industry and all interested persons were invited to attend the meeting and participate in Council deliberations on all issues. Like all Council meetings, the November 17, 2016, meeting was a public meeting and all entities, both large and small, were able to express views on this issue.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0291 ''Pecans Grown in AL, AR, AZ, CA, FL, GA, KS, LA, MO, MS, NC, NM, OK, SC and TX.'' No changes in those requirements are necessary as a result of this action. However, the Council is recommending reporting requirements, to include information on pecans received, shipped, exported, or in inventory, which would facilitate the collection of the assessments. These requirements are being considered under a separate action. Should any changes to the information collection requirements become necessary, they would be submitted to OMB for approval.

This rule imposes no additional reporting or recordkeeping requirements on either small or large pecan handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. As noted in the initial regulatory flexibility analysis, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

AMS is committed to complying with the E-Government Act, 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.

A proposed rule concerning this action was published in the **Federal Register** on June, 13, 2017 (82 FR 27028). Copies of the proposed rule were also mailed or sent via facsimile to all known pecan handlers. Finally, the proposal was made available through the internet by USDA and the Office of the Federal Register. A 30-day comment period ending July 13, 2017, was provided for interested persons to respond to the proposal. Two comments were received during the comment period in response to the proposal. The commenters included a State Farm Bureau and Council staff.

Both comments expressed support for finalizing the proposed rule as issued. Each commenter valued the opportunity to market and promote pecans. One comment further highlighted the industry's need for product research for market and economic development. Accordingly, no changes will be made to the rule as proposed, based on the comments received.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/rules-regulations/moa/small-businesses.* Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the Council and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because handlers are aware of this action, which was unanimously recommended by the Council at a public meeting. The proposed rule provided for a 30-day comment period and no comments opposing the proposal were received. Furthermore, the 2016–17 fiscal year ends on September 30, 2017, and the marketing order requires that the rate of assessment for each fiscal year apply to all pecans handled during such fiscal year. If this rule is not effective before September 30, 2017, the Council will not have sufficient funds to cover expenses it has incurred for the 2016–17 crop year.

List of Subjects in 7 CFR Part 986

Marketing agreements, Pecans, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 986 is amended as follows:

PART 986—PECANS GROWN IN THE STATES OF ALABAMA, ARKANSAS, ARIZONA, CALIFORNIA, FLORIDA, GEORGIA, KANSAS, LOUISIANA, MISSOURI, MISSISSIPPI, NORTH CAROLINA, NEW MEXICO, OKLAHOMA, SOUTH CAROLINA, AND TEXAS

■ 1. The authority citation for 7 CFR part 986 continues to read as follows:

Authority: 7 U.S.C. 601–674.

§§ 986.1 through 986.99 [Designated as Subpart A]

■ 2. Designate §§ 986.1 through 986.99 as subpart A and add a heading for subpart A to read as follows:

Subpart A—Order Regulating Handling of Pecans

■ 3. Add subpart B, consisting of § 986.161, to read as follows:

Subpart B—Administrative Provisions

§ 986.161 Assessment rates.

On and after October 1, 2016, assessment rates of $0.03 per pound for pecans classified as improved, $0.02 per pound for pecans classified as native and seedling, and $0.02 per pound for pecans classified as substandard pecans are established.

Dated: September 11, 2017.

Bruce Summers,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2017–19554 Filed 9–18–17; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1780

RIN 0572–AC36

Water and Waste Loans and Grants

AGENCY: Rural Utilities Service, USDA.

ACTION: Final rule.

SUMMARY: The Rural Utilities Service (RUS), a Rural Development agency of the United States Department of Agriculture (USDA), is revising the regulation used to process water and waste disposal loans and grants to remove the reference to the 11–GO Bond Buyer Index. This change will allow the Agency to respond to changes in indices and potentially reduce the budget authority necessary to fund the program.

DATES: This rule is effective October 19, 2017.

FOR FURTHER INFORMATION CONTACT: Susan Woolard, Community Programs Specialist, Rural Utilities Service, U.S. Department of Agriculture, STOP 1570, 1400 Independence Ave. SW., Washington, DC 20250–0787, telephone: (202) 720–9631. Email contact *susan.woolard@wdc.usda.gov.* Additional Information about Rural Development and its programs is available on the Internet at *https://www.rd.usda.gov.*

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This final rule has been determined to be non-significant for purposes of Executive Order (E.O.) 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

Catalog of Federal Domestic Assistance

The affected programs are listed in the Catalog of Federal Domestic Assistance (CFDA) Program under 10.760, Water and Waste Disposal Systems for Rural Communities. This catalog is available electronically through the free CFDA Web site on the Internet at *https://www.cfda.gov/.* The print edition may be purchased by calling the Superintendent of Documents at (202) 512–1800 or toll free at (866) 512–1800, or by ordering online at *https://bookstore.gpo.gov/.*

Executive Order 12372, Intergovernmental Review of Federal Programs

This program is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. RUS conducts intergovernmental consultations for each loan in the manner delineated in 2 CFR part 200 and 400.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

The Agency has determined that this final rule does not have a substantial direct effect on one or more Indian tribe(s) or on either the relationship or the distribution of powers and responsibilities between the Federal Government and Indian tribes. Thus, this final rule is not subject to the requirements of Executive Order 13175. Consequently, the Agency will not conduct tribal consultation sessions.

Executive Order 12988, Civil Justice Reform

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. In accordance with this final rule: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) No retroactive effect will be given to this rule; and (3) Administrative proceedings of the National Appeals Division (7 CFR part 11) must be exhausted before bringing suit in court challenging action taken under this rule.

National Environmental Policy Act Certification

The final rule has been reviewed in accordance with 7 CFR part 1970, Environmental Policies and Procedures. The Agency has determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment and, in accordance with the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 *et seq.,* an Environmental Impact Statement is not required. Loan and grant applications will be reviewed individually to determine compliance with Agency environmental regulations and with NEPA.

Unfunded Mandates Reform Act

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, RUS 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 RUS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most 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. Therefore, this final rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601–602) (RFA) 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 (APA) or any other statute. This final rule; however, is not subject to the APA under 5 U.S.C. 553(a)(2) and 5 U.S.C. 553(b)(3)(A) nor any other statute.

Executive Order 13132, Federalism

It has been determined, under E.O. 13132, Federalism, that the policies contained in this final rule do not have any substantial direct effect on 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. Nor does this final rule impose substantial direct compliance costs on state and local governments. Therefore, consultation with the states is not required.

E-Government Act Compliance

The Agency is committed to complying with the E-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible and 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.

Information Collection and Recordkeeping Requirements

In accordance with the Paperwork Reduction Act of 1995, the paperwork burden associated with this final rule has been approved by the Office of Management and Budget (OMB) under the currently approved OMB Control Number 0572–0121. The Agency has determined that the changes in the rule do not substantially change current data collection.

USDA Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET center at (202) 720–2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877–8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form (PDF), found online at *http://www.ascr.usda.gov/complaint_filing_cust.html*, or at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form.

To request a copy of the complaint form, call (866) 632–9992 to request the form. Submit your completed complaint form or letter to USDA by:

(1) Mail at U.S. Department of Agriculture, Office of Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250–9410, by Fax (202) 690–7442 or Email at *program.intake@usda.gov.*

USDA is an equal opportunity provider, employer, and lender.

Background and Discussion of the Rule

The Rural Utilities Service's (RUS) water and waste program is administered by Water and Environmental Programs (WEP). The water and waste loan and grant programs are authorized by various sections of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 *et seq.*), as amended to provide loan and grant funds to rural areas (populations of 10,000 or less) to construct, enlarge, extend, or otherwise improve rural water, sanitary sewage, solid waste disposal, and storm wastewater disposal facilities.

Agency regulations provide for a three-tier interest rate structure for its direct water and waste disposal loans. The tiers are market, intermediate, and poverty. Currently, market rate is set using as guidance the average of the Bond Buyer (11–GO Bond) Index for the four weeks prior to the first Friday of the last month before the beginning of the quarter, with intermediate and poverty rates set as percentages of the market rate at 80 percent and 60 percent respectively. In addition to providing the interest rate for Agency direct loans, these rates play an integral part in the modeling of the subsidy rate for the program.

In order to more effectively manage the subsidy rate and reduce the need for appropriations, beginning in fiscal year 2018, the Agency is issuing a final rule to use the 20–GO Bond Index to set the market rate. In order for the Agency to respond more quickly to indices changes, the Agency is issuing a final rule to change the current reference from a specific bond index to reflect that the Agency is using as guidance the average of the Bond Buyer Index (available in any Agency office or the program's Web site) for the four weeks prior to the first Friday of the last month before the beginning of the quarter.

To implement this change the Agency will publish this as a final rule. The Administrative Procedure Act exempts from prior notice rules, ''relating to agency management or personnel or to public property, loans, grants, benefits, or contracts'' (5 U.S.C. 553(b)(A)).

Summary of Changes to Rule

Rates and Terms (§ 1780.13)

This section outlines how rates are set for Agency loans, qualifications for each interest rate, and, repayment terms. The Agency revises § 1780.13(e) to remove the reference to the 11–GO Bond index in order to allow greater flexibility to respond to changes in bond indices.

List of Subjects in 7 CFR Part 1780

Community development, Credit, Loan programs, Rural areas, Waste treatment and disposal, Water supply and treatment.

For the reasons set forth in the preamble, under the authority at 5 U.S.C. 301, 7 U.S.C. 1989, and 16 U.S.C. 1005, RUS amends Chapter XVII, Title 7, of the Code of Federal Regulations, as follows:

PART 1780—WATER AND WASTE LOANS AND GRANTS

■ 1. The authority citation for part 1780 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 16 U.S.C. 1005.

■ 2. Amend § 1780.13 by revising paragraph (d) to read as follows:

§ 1780.13 Rates and terms.

* * * * *

(d) *Market rate.* The market interest rate will be set using as guidance the average of the Bond Buyer Index (available in any Agency office or the program's Web site) for the four weeks prior to the first Friday of the last month before the beginning of the quarter. The market rate will apply to all loans that do not qualify for a different rate under paragraph (b) or (c) of this section.

* * * * *

Dated: August 29, 2017.

Christopher A. Mclean,

Acting Administrator, Rural Utilities Service.

[FR Doc. 2017–19839 Filed 9–18–17; 8:45 am]

BILLING CODE 3410–15–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0339; Product Identifier 2016–NM–078–AD; Amendment 39–19042; AD 2017–19–12]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2014–13–17, which applied to all Airbus Model A300 series airplanes; Airbus Model A300 B4–600, B4–600R, and F4–600R series airplanes, and Model A300 C4–605R Variant F airplanes (collectively

called Model A300–600 series airplanes); and Airbus Model A310 series airplanes. AD 2014–13–17 required repetitive functional tests of the circuit breakers for the fuel pump power supply, and replacement of certain circuit breakers. This new AD requires installation of fuel pumps having a new standard, which terminates the repetitive functional tests. This AD was prompted by our determination that installation of a newly developed fuel pump standard will better address the unsafe condition. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective October 24, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 24, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of August 19, 2014 (79 FR 41098, July 15, 2014).

ADDRESSES: For service information identified in this final rule, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* Internet *http://www.airbus.com.* You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0339.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0339; 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 (telephone 800–647–5527) is Docket 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: Dan Rodina, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–2125; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2014–13–17, Amendment 39–17893 (79 FR 41098, July 15, 2014) (''AD 2014–13–17''). AD 2014–13–17 applied to all Airbus Model A300 series airplanes; Airbus Model A300–600 series airplanes; and Airbus Model A310 series airplanes. The NPRM published in the **Federal Register** on May 16, 2017 (82 FR 22445). The NPRM was prompted by reports of failures of the right inner tank fuel pump. The NPRM proposed to require installation of fuel pumps having the new standard. We are issuing this AD to prevent a fuel pump from overheating, which could result in a fuel tank explosion and consequent loss of the airplane.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2016–0080, dated April 21, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for all Airbus Model A300 series airplanes; Airbus Model A300–600 series airplanes; and Airbus Model A310 series airplanes. The MCAI states:

> Two successive failures have been reported of a Right Hand #1 inner tank fuel pump, Part Number (P/N) 2052Cxx series (where ''xx'' represents any numerical combination). These occurrences were solved by replacement of the pump, associated circuit breaker (CB) and the alternating current (AC) bus load relay.
>
> Investigations determined that, in case of loss of one phase on the pump supply and the associated CB failing to trip, the fuel pump thermal fuses may not operate as quickly as expected.
>
> This condition, if not detected and corrected, could lead to an overheat condition of the fuel pump in excess of 200 °C, possibly resulting in a fuel tank explosion and loss of the aeroplane.
>
> To address this potential unsafe condition, Airbus issued Alert Operator Transmission (AOT) A28W002–13 providing instructions for functional tests of CBs.
>
> As a temporary measure, EASA issued AD 2013–0163 [which corresponds to FAA AD 2014–13–17] to require repetitive functional tests of the affected fuel pump power supply CBs, and, depending on findings, replacement.
>
> Since that [EASA] AD was issued, a new standard of fuel pump was developed, which improves the thermal protection, thereby preventing the potential unsafe condition and cancelling the need for repetitive functional tests of the affected CBs, as required by EASA AD 2013–0163. Airbus issued Service Bulletin (SB) A300–28–0093, SB A300–28–6111, SB A300–28–9025 and SB A310–28–2176 to provide instructions for this upgrade of the fuel pump for all positions on the aeroplane.
>
> For the reasons described above, this [EASA] AD retains the requirements EASA AD 2013–0163, which is superseded, and requires installation of the new standard fuel pump, which constitutes terminating action for the repetitive functional tests.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0339.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA's response to each comment.

Support for the NPRM

FedEx Express stated that it concurs with the proposed corrective actions.

Suggestion To Organize Files by Airplane Serial Number

One commenter, Anani Fleur, suggested that the FAA set up files for every airplane by serial number. The commenter stated that the file system should be computerized and that FAA employees could do this.

We acknowledge the commenter's suggestion. Since it does not address the unsafe condition identified in this AD, we have not changed this AD regarding this issue.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting this AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Related Service Information Under 1 CFR Part 51

Airbus has issued the following service information, which describes procedures for installing new standard fuel pumps with improved thermal protection. These documents are distinct since they apply to different airplane models in different configurations.

• Service Bulletin A300–28–0093, dated December 15, 2015.

• Service Bulletin A300–28–6111, Revision 01, dated February 29, 2016.

• Service Bulletin A310–28–2176, dated December 15, 2015.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

We estimate that this AD affects 128 airplanes of U.S. registry.

The actions required by AD 2014–13–17 and retained in this AD take about 1 work-hour per product, at an average labor rate of $85 per work-hour. Based on these figures, the estimated cost of the actions that are required by AD 2014–13–17 is $85 per product, per inspection cycle.

We also estimate that it will take up to 21 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts cost per product is not available. Based on these figures, we estimate the cost of this AD on U.S. operators to be up to $228,480, or up to $1,785 per product.

Authority for This Rulemaking

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

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

Regulatory Findings

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

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

1. Is not a ''significant regulatory action'' under Executive Order 12866;

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

3. Will not affect intrastate aviation in Alaska; 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) 2014–13–17, Amendment 39–17893 (79 FR 41098, July 15, 2014), and adding the following new AD:

2017–19–12 Airbus: Amendment 39–19042; Docket No. FAA–2017–0339; Product Identifier 2016–NM–078–AD.

(a) Effective Date

This AD is effective October 24, 2017.

(b) Affected ADs

This AD replaces 2014–13–17, Amendment 39–17893 (79 FR 41098, July 15, 2014) (''AD 2014–13–17'').

(c) Applicability

This AD applies to the Airbus airplanes, certificated in any category, identified in paragraphs (c)(1) through (c)(6) of this AD, all manufacturer serial numbers.

(1) Airbus Model A300 B2–1A, B2–1C, B2K–3C, B2–203, B4–2C, B4–103, and B4–203 airplanes.

(2) Airbus Model A300 B4–601, B4–603, B4–620, and B4–622 airplanes.

(3) Airbus Model A300 B4–605R and B4–622R airplanes.

(4) Airbus Model A300 C4–605R Variant F airplanes.

(5) Airbus Model A300 F4–605R and F4–622R airplanes.

(6) Airbus Model A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 28, Fuel.

(e) Reason

This AD was prompted by reports of failures of the right inner tank fuel pump. We are issuing this AD to prevent a fuel pump from overheating, which could result in a fuel tank explosion and consequent loss of the airplane.

(f) Compliance

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

(g) Retained: Repetitive Functional Tests of Circuit Breakers, With New Terminating Action

This paragraph restates the requirements of paragraph (g) of AD 2014–13–17, with a new terminating action.

(1) Within 6 months or 500 flight hours after August 19, 2014 (the effective date of AD 2014–13–17), whichever occurs first: Do a functional test of the circuit breakers for the fuel pump power supply, as identified in paragraphs (g)(1)(i), (g)(1)(ii), and (g)(1)(iii) of this AD, as applicable, in accordance with Airbus Alert Operators Transmission A28W002–13, dated July 23, 2013. Repeat the functional test thereafter at intervals not to exceed 6 months or 500 flight hours, whichever occurs first, until the fuel pump installation required by paragraph (h) of this AD is accomplished.

(i) For Airbus Model A300 B2–1A, B2–1C, B2K–3C, and B2–203 airplanes: Inner and outer pump, No. 1 and No. 2, left-hand (LH) side and right-hand (RH) side.

(ii) For Airbus Model A300 B4–2C, B4–103, B4–203, B4–601, B4–603, B4–620, and B4–622 airplanes; and Model A310–203, –204, –221, and –222 airplanes:

(A) Inner and outer pump, No. 1 and No. 2, LH and RH; and

(B) Center pump, LH and RH.

(iii) For Airbus Model A300 B4–605R, B4–622R, F4–605R, F4–622R, and C4–605R Variant F airplanes; and Model A310–304, –322, –324, and –325 airplanes:

(A) Inner and outer pump, No. 1 and No. 2, LH and RH;

(B) Center pump, LH and RH; and

(C) Trim tank pump No. 1 and No. 2.

(2) If, during any functional test required by paragraph (g)(1) of this AD, any circuit breaker fails any functional test, or any circuit breaker is found to be stuck closed, before further flight, replace the affected circuit breaker with a serviceable part, in accordance with Airbus Alert Operators Transmission A28W002–13, dated July 23, 2013.

(3) The replacement of one or more circuit breakers as required by paragraph (g)(2) of this AD does not terminate the repetitive functional tests required by paragraph (g)(1) of this AD.

(h) New Requirement of This AD: Installation of Fuel Pumps Having a New Standard

Within 72 months after the effective date of this AD: Install a fuel pump having a new standard at each applicable location on the airplane, in accordance with the Accomplishment Instructions of the applicable service information specified in paragraph (h)(1), (h)(2), or (h)(3) of this AD. Accomplishment of the installation of fuel pumps having the new standard terminates the requirement for the repetitive functional tests required by paragraph (g)(1) of this AD.

(1) Airbus Service Bulletin A300–28–0093, dated December 15, 2015.

(2) Airbus Service Bulletin A300–28–6111, Revision 01, dated February 29, 2016.

(3) Airbus Service Bulletin A310–28–2176, dated December 15, 2015.

(i) Parts Installation Prohibition

After the installation of any fuel pump having a new standard on an airplane, as required by paragraph (h) of this AD, no person may install any fuel pump having part number 2052Cxx (where ''xx'' represents any numerical combination) on that airplane.

(j) Credit for Previous Actions

This paragraph provides credit for the installation required by paragraph (h) of this AD, if the installation was done before the effective date of this AD using Airbus Service Bulletin A300–28–6111, dated December 15, 2015.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards Branch, 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 Section, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.*

(2) *Contacting the Manufacturer:* As of the effective date of this AD, for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* If any Airbus service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(l) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2016–0080, dated April 21, 2016, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0339.

(2) For more information about this AD, contact Dan Rodina, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–2125; fax 425–227–1149.

(3) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (m)(5) and (m)(6) of this AD.

(m) 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 this AD specifies otherwise.

(3) The following service information was approved for IBR on October 24, 2017.

(i) Airbus Service Bulletin A300–28–0093, dated December 15, 2015.

(ii) Airbus Service Bulletin A300–28–6111, Revision 01, dated February 29, 2016.

(iii) Airbus Service Bulletin A310–28–2176, dated December 15, 2015.

(4) The following service information was approved for IBR on August 19, 2014 (79 FR 41098, July 15, 2014).

(i) Airbus Alert Operators Transmission A28W002–13, dated July 23, 2013.

(ii) Reserved.

(5) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* Internet *http://www.airbus.com.*

(6) You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. 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 September 7, 2017.

Jeffrey E. Duven,

Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2017–19653 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0529; Product Identifier 2016–NM–123–AD; Amendment 39–19044; AD 2017–19–14]

RIN 2120–AA64

Airworthiness Directives; Dassault Aviation Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Dassault Aviation Model FALCON 900EX airplanes. This AD was prompted by a determination that new or more restrictive maintenance requirements and/or airworthiness limitations are necessary. This AD requires revising the maintenance or inspection program, as applicable, to incorporate new or more restrictive maintenance requirements and/or airworthiness limitations. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective October 24, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 24, 2017.

ADDRESSES: For service information identified in this final rule, contact Dassault Falcon Jet Corporation, Teterboro Airport, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com.* You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0529.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://*

www.regulations.gov by searching for and locating Docket No. FAA–2017–0529; 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 street address for the Docket Office (telephone 800–647–5527) is Docket 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: Tom Rodriguez, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1137; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Dassault Aviation Model FALCON 900EX airplanes. The NPRM published in the **Federal Register** on June 6, 2017 (82 FR 25975) (''the NPRM'').

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2016–0129, dated June 23, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Dassault Aviation Model FALCON 900EX airplanes. The MCAI states:

> The airworthiness limitations and maintenance requirements for the DA [Dassault Aviation] Falcon 900EX type design relating to Falcon 900EX Easy, Falcon 900LX and Falcon 900DX variants are included in Aircraft Maintenance Manual (AMM) chapter 5–40 and are approved by the European Aviation Safety Agency (EASA). These instructions have been identified as mandatory for continued airworthiness.
>
> Failure to accomplish these instructions could result in an unsafe condition.
>
> Consequently, EASA issued AD 2013–0052 [which corresponds to AD 2014–16–27, Amendment 39–17951 (79 FR 51071, August 27, 2014) (''2014–16–27'')] to require accomplishment of the maintenance tasks, and implementation of the airworthiness limitations, as specified in DA Falcon 900EX Easy/900LX/900DX AMM chapter 5–40 (DGT 113875) at revision 7.
>
> Since that [EASA] AD was issued, DA issued revision 9 of DA Falcon 900EX Easy/900LX/900DX AMM chapter 5–40 (DGT 113875) (hereafter referred to as ''the ALS'' in this AD), which contains new or more restrictive maintenance requirements and/or airworthiness limitations. The ALS introduces, among others, the following new tasks:
>
> —Task 53–50–00–220–803 ''Detailed inspection of the baggage compartment'';
>
> —Task 53–50–00–220–807 ''Detailed inspection of the upper part of frame 30.''
>
> For the reason described above, this [EASA] AD retains the requirements of EASA AD 2013–0052, which is superseded, and requires accomplishment of the actions specified in the ALS.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0529.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Related Service Information Under 1 CFR Part 51

Dassault Aviation has issued Chapter 5–40, Airworthiness Limitations, Revision 9, dated November 2015, of the Dassault Falcon 900EX EASy, Falcon 900LX, and Falcon 900DX Maintenance Manual. The service information describes procedures, maintenance tasks, and airworthiness limitations specified in the Airworthiness Limitations section (ALS) of the AMM. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

We estimate that this AD affects 63 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
Maintenance or inspection program revision ..	1 work-hour × $85 per hour = $85	$0	$85	$5,355

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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

Regulatory Findings

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

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

1. Is not a ''significant regulatory action'' under Executive Order 12866;

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

3. Will not affect intrastate aviation in Alaska; 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):

2017–19–14 Dassault Aviation: Amendment 39–19044; Docket No. FAA–2017–0529; Product Identifier 2016–NM–123–AD.

(a) Effective Date

This AD is effective October 24, 2017.

(b) Affected ADs

This AD affects AD 2014–16–27, Amendment 39–17951 (79 FR 51071, August 27, 2014) (''AD 2014–16–27'').

(c) Applicability

This AD applies to Dassault Aviation Model FALCON 900EX airplanes, serial number (S/N) 97 and S/N 120 and higher, certificated in any category, with an original certificate of airworthiness or original export certificate of airworthiness issued on or before November 1, 2015.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason

This AD was prompted by a determination that new or more restrictive maintenance requirements and/or airworthiness limitations are necessary. We are issuing this AD to prevent reduced structural integrity of the airplane.

(f) Compliance

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

(g) Revision of Maintenance or Inspection Program

Within 90 days after the effective date of this AD, revise the maintenance or inspection program, as applicable, to incorporate the information specified in Chapter 5–40, Airworthiness Limitations, Revision 9, dated November 2015, of the Dassault Falcon 900EX EASy, Falcon 900LX, and Falcon 900DX Maintenance Manual. The initial compliance time for accomplishing the actions specified in Chapter 5–40, Airworthiness Limitations, Revision 9, dated November 2015, of the Dassault Falcon 900EX EASy, Falcon 900LX, and Falcon 900DX Maintenance Manual, is within the applicable times specified in the maintenance manual or 90 days after the effective date of this AD, whichever occurs later, except as provided by paragraphs (g)(1) through (g)(4) of this AD.

(1) The term ''LDG'' in the ''First Inspection'' column of any table in the service information means total airplane landings.

(2) The term ''FH'' in the ''First Inspection'' column of any table in the service information means total flight hours.

(3) The term ''FC'' in the ''First Inspection'' column of any table in the service information means total flight cycles.

(4) The term ''M'' in the ''First Inspection'' column of any table in the service information means months.

(h) No Alternative Actions and Intervals

After accomplishing the revision required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections) or 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 (j)(1) of this AD.

(i) Terminating Action

Accomplishing the actions required by paragraph (g) of this AD terminates all requirements of AD 2014–16–27.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards Branch, 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 Section, send it to the attention of the person identified in paragraph (k)(2) of this AD. 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.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Dassault Aviation's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2016–0129, dated June 23, 2016, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0529.

(2) For more information about this AD, contact Tom Rodriguez, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1137; fax 425–227–1149.

(l) 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 this AD specifies otherwise.

(i) Chapter 5–40, Airworthiness Limitations, Revision 9, dated November 2015, of the Dassault Falcon 900EX EASy, Falcon 900LX, and Falcon 900DX Maintenance Manual.

(ii) Reserved.

(3) For service information identified in this AD, contact Dassault Falcon Jet Corporation, Teterboro Airport, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com.*

(4) You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. 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 September 7, 2017.

Jeffrey E. Duven,

Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2017–19652 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2016–6673; Directorate Identifier 2015–NM–092–AD; Amendment 39–18978; AD 2017–16–01]

RIN 2120–AA64

Airworthiness Directives; Ameri-King Corporation Emergency Locator Transmitters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Ameri-King Corporation emergency locator transmitters (ELTs) as installed on various aircraft. This AD was prompted by multiple reports of ELT failure and a report of noncompliance to quality standards and manufacturer processes related to Ameri-King Corporation ELTs. This AD requires repetitive inspections of the ELT for discrepancies; repetitive checks, tests, and verifications, as applicable, to ensure the ELT is functioning; and corrective actions if necessary. This AD also allows for optional replacement of affected ELTs and, for certain aircraft, optional removal of affected ELTs. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective October 24, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 24, 2017.

ADDRESSES: For service information identified in this final rule, contact Gilbert Ceballos, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5372; fax: 562–627–5210; email: *gilbert.ceballos@faa.gov.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–6673.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–6673; 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 Docket 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: Gilbert Ceballos, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles ACO, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5372; fax: 562–627–5210; email: *gilbert.ceballos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Ameri-King Corporation ELTs as installed on various aircraft. The NPRM published in the **Federal Register** on June 3, 2016 (81 FR 35657) (''the NPRM''). The NPRM was prompted by multiple reports of ELT failure. The NPRM was also prompted by a report of noncompliance to quality standards and manufacturer processes related to Ameri-King Corporation ELTs. Failure to adhere to these standards and processes could result in ELTs that do not function. The NPRM proposed to require repetitive inspections of the ELT for discrepancies; repetitive checks, tests, and verifications, as applicable, to ensure the ELT is functioning; and corrective actions if necessary. The NPRM also proposed to allow optional replacement of affected ELTs and, for aircraft on which an ELT is not required by operating regulations, optional removal of affected ELTs. We are issuing this AD to detect and correct nonfunctioning ELTs, which could delay or impede the rescue of the flightcrew and passengers after an emergency landing.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA's response to each comment. Alaska Seaplanes supported the NPRM. Alaska Seaplanes stated that, based on its experience with Ameri-King Corporation ELTs, ''this is a good and needed AD.''

Request To Withdraw the NPRM

Richard Koehler, an FAA-certificated mechanic and pilot, requested we withdraw the NPRM. The commenter stated he is strongly opposed to issuance of the NPRM for the following reasons:

- The commenter stated the ''Discussion'' paragraph of the NPRM specifies that there have been 73 reported ELT failures and questioned if all were Ameri-King units or a mix of the older technical standard order (TSO)–C91 units and the newer TSO–C91a units. The commenter stated the TSO–C91a ELT was a huge technological advance over the old TSO–C91 units. The commenter noted that he replaced four defective units (TSO–C91) with AK–450 units (TSO–C91a), which, in his experience, have never had a failure. The commenter questioned how the failure rate of the AK–450 compares to other manufacturers' units.
- The commenter stated that the NPRM appears to be part of ''the ongoing vendetta against Ameri-King by the 406 ELT mafia,'' which is trying to force all general aviation aircraft to adopt 406 ELTs. The commenter stated that the performance of the AK–450 is at least ten times better than the old C91 units. The commenter recommended that the NPRM should ''get rid of poor ELTs'' by forcing the replacement of the tens of thousands of C91 units that are still available.
- The commenter stated that the inspection called out in the proposed AD is redundant to the tests required in 14 CFR 91.207(d), which requires a 12-calendar-month inspection cycle on all installed ELTs.

We do not agree to withdraw the NPRM. We find that sufficient data exist to demonstrate that Ameri-King Corporation Model AK–450–( ) and AK–451–( ) series ELTs could fail. We consider this an unsafe condition since nonfunctioning ELTs could delay or impede the rescue of the flightcrew and passengers after an emergency landing. The reported ELT failures were not a mix of TSO–C91 units and TSO–C91a units. As stated in the NPRM, we received 73 reports of ELT failures for Ameri-King Corporation Model AK–450–( ) series ELTs, which are approved under TSO–C91a, and AK–451–( ) series ELTs, which are approved under TSO–C91a and TSO–C126.

We are also aware of the noncompliance to quality standards and manufacturer processes for Ameri-King Corporation ELTs, which could result in

the failure rate of Ameri-King Corporation ELTs being higher than other manufacturers' failure rates. When comparing the data between Ameri-King Corporation and one other ELT manufacturer, the failure rate for Ameri-King Corporation ELTs is significantly higher than for the other manufacturer's ELTs. We acknowledge that 14 CFR 91.207(d) specifies compliance times for inspecting ELTs that overlap with the compliance times in this AD; however 14 CFR 91.207(d) does not specify corrective actions if any discrepancies are found. In addition, 14 CFR 91.207(d) only applies to aircraft on which ELTs are required. This AD applies to all Ameri-King Corporation Model AK–450–( ) and AK–451–( ) series ELTs, regardless of installation. Consequently, we have determined that this AD is necessary in order to address the identified unsafe condition in all affected ELTs. This AD, in conjunction with the emergency cease and desist order, dated December 28, 2015, to Ameri-King Corporation that terminated their technical standard order authorization (TSOA) and parts manufacturer approval (PMA), will ensure nonfunctioning Ameri-King Corporation ELTs are identified so that they may be eliminated from the U.S. fleet.

We might also consider further rulemaking to address other ELTs if we receive data that substantiate an unsafe condition exists for those ELTs. We have not changed this final rule in this regard.

Request To Amend Facts Regarding the Basis for the NPRM

Michael L. Dworkin, legal representative for Ameri-King Corporation (Ameri-King), submitted comments intended to serve as Ameri-King's public comments on the NPRM. Ameri-King requested that, if we go forward with the final rule, we amend the facts regarding the basis for the NPRM. Ameri-King stated it objects to the FAA's stated basis for the NPRM for the following reasons:

- Ameri-King stated that the alleged 73 reported ELT failures were never communicated to Ameri-King and Ameri-King has never been afforded the opportunity to investigate the cause(s) of such alleged failures. The commenter questioned whether they were due to design or production defects, or improper installation, maintenance, and use.
- Ameri-King stated that the number of allegedly reported failures does not comport with the FAA's service difficulty report (SDR) database, which shows only 64 reports related to service difficulties with Ameri-King ELTs. Ameri-King stated that many of these 64 reports clearly indicate failures due to factors other than design or manufacturing, and outside of Ameri-King's activities, such as improper installation, improper and inadequate maintenance, and dead batteries.
- Ameri-King noted that whether there were 64 or 73 reports, these numbers are relatively inconsequential considering that there are over 14,500 Ameri-King ELTs in the field. Ameri-King added that utilizing the FAA's number of 73 failures would evidence a failure rate of approximately one-half of one percent (0.5%). Ameri-King stated that the number of reports confined to Ameri-King's ELTs pales in comparison to the FAA's SDR database for all ELT manufacturers (799 SDRs), further bolstering Ameri-King's quality control and performance accomplishments.
- Ameri-King also pointed out that the NPRM states that for service information, affected persons should contact Ameri-King directly. However, by the terms of the cease and desist order, dated December 28, 2015, the FAA has prevented Ameri-King from providing any assistance. Ameri-King noted that, to the extent functional tests reveal that the failures are due to dead batteries, the aircraft owner may not be able to purchase replacements. Although these batteries are ''off the shelf'' generic batteries that are not of Ameri-King's design or manufacture, under the terms of the cease and desist order, Ameri-King cannot sell other manufacturers' replacement batteries.
- Ameri-King stated that FAA certification guidelines classify ELTs as non-essential equipment, and that under TSO–C126a and TSO–C126b, ELT failures have been considered by the FAA to be ''minor failures.''

In response to the commenter's request to amend the facts regarding the basis for the NPRM, we note that the 73 ELT failures are from reports that Ameri-King Quality Control (QC) provided to the FAA. Regarding the failure rate, SDR source data comes from operator reports and varies in completion and information detail provided. In addition, the SDR database is not a comprehensive database. It is only one of the tools used to investigate potential safety issues (*e.g.,* Hotline reports, National Transportation Safety Board (NTSB) safety investigations, etc.). There is no basis (*i.e.,* data substantiation) for Ameri-King's assertion that Ameri-King's failure rate is lower than other manufacturers.

As stated previously, Ameri-King's failure rate is significantly higher than at least one other manufacturer. The Ameri-King failures include occurrences of inadvertent G-switch activation and premature battery replacement due to repeated inadvertent ELT self-test initialization.

We found Ameri-King's quality control records to be insufficient as they only included data covering one year. In addition, we discovered that Ameri-King would receive failed ELTs from operators, repair them, and reissue them with a new serial number, which affects quality and configuration control. Since there were noncompliance findings with quality standards and manufacturer processes, it is unknown how many future failures there may be due to manufacturing factors at Ameri-King.

We acknowledge that the NPRM should not have referred to Ameri-King for contact information for the service information. We have revised the **ADDRESSES** section of this final rule to specify contacting the FAA for service information. We have also specified contacting the FAA for service information in paragraph (m)(3) of this AD.

We have also revised paragraph (g) of this AD to clarify that operators are not required to get replacement batteries from Ameri-King Corporation. Ameri-King AK–450–( ) series ELTs use alkaline batteries. Ameri-King AK–451–( ) series ELTs use lithium batteries. Regarding lithium battery replacement, operators should note that replacement batteries should follow the battery standards requirements specified in TSO–C142a, Non-Rechargeable Lithium Cells and Batteries. TSO–C142a states that non-rechargeable lithium cells and batteries must meet minimum performance standards in RTCA, Inc., document RTCA DO–227, ''Minimum Operational Performance Standards for Lithium Batteries,'' dated June 23, 1995 (''DO–227''). As specified in DO–227, if any lithium battery replacement is necessary, all batteries should be replaced, *i.e.,* there should not be a mixture of new and old batteries installed in an ELT. If operators have questions on lithium battery replacement, they may contact the person identified under the **FOR FURTHER INFORMATION CONTACT** paragraph of this AD.

Regarding Ameri-King's comment about non-essential equipment and minor failures, we acknowledge that ELTs are considered non-essential equipment for certain aircraft. However, the majority of Ameri-King ELTs (approximately 10,500 units) were sold to operators of small airplanes, certificated under 14 CFR part 23. In assessing this issue, we followed Section 4–12, ''Other Structure—

Occupant Protection,'' of the Small Airplane Risk Analysis (SARA) Handbook, dated September 30, 2010, which contains the following statement: ''An ASE [aviation safety engineer] should consider corrective action for any defect or failure in a design feature intended to improve survivability in accidents.'' As noted in Section 1–2, ''Use of Risk Methods,'' of the SARA handbook:

> Also, airplane components intended to provide occupant protection must function as intended in a survivable incident or accident. Using a probabilistic approach in these types of situations is not appropriate for making decisions on whether airworthiness action is necessary. However, probabilistic methods can help us determine how quickly we should take an airworthiness action and how effective a proposed airworthiness action may be in reducing the risk associated with an airworthiness concern.

Thus, we find that Ameri-King ELT failures must be addressed because nonfunctioning ELTs could delay or impede the rescue of the flightcrew and passengers after an emergency landing.

Request To Remove Requirement To Repair Discrepancies

Three commenters requested that we remove repair requirements from the proposed AD. One of these commenters, Neal Dillman, noted that the existing manual does not specify that repairs be accomplished. The commenter indicated that doing a repair in order to maintain airworthiness is supported by existing advisory circulars, as well as other FAA documentation. The commenter also noted that other ELT manufacturers have documentation that does not include repairs and, therefore, requiring a repair for Ameri-King is superfluous.

Another commenter, Richard Koehler, questioned why the proposed AD specifies to repair discrepancies when 14 CFR 91.207(d) calls for an inspection of the ELT, but leaves the repair to the mechanic with an inspection authorization. The commenter questioned why we have to add overt words to repair discrepancies in the proposed AD, but not in the regulations. We infer the commenter is requesting that we not include repair requirements.

Another commenter, Michael L. Dworkin, legal representative for Ameri-King, stated that to the extent that the proposed AD requires accomplishing the actions already specified in Ameri-King's Installation & Operations Manuals, ''Documents IM–450 and IM–451,'' which include yearly inspections and performance of functional and operations tests, no objection is offered. However, Ameri-King stated that the requirements of the proposed AD differ from Ameri-King's Installation & Operations Manuals where it specifies corrective actions that would be required in repairing or replacing inoperative ELTs.

Ameri-King noted that corrective action is already required under the applicable Federal Aviation Regulations and established industry practices. Ameri-King considered that it should be intuitive and axiomatic that any personnel performing inspections and functional or operations tests would take appropriate corrective actions to ensure that any faults are corrected so the equipment meets and performs in accordance with specifications. As such, Ameri-King concluded that there is little, if any, need to mandate corrective action by AD.

Ameri-King also noted that Ameri-King's Installation & Operations Manuals were approved by the FAA in conjunction with the FAA having issued TSOAs and PMAs to Ameri-King, and at that time, the FAA saw no need to specify corrective actions in the event that inspection or testing revealed any problems—most likely because corrective action is already required by the Federal Aviation Regulations and standard industry practices.

We disagree with the commenter's request to remove the requirement to repair discrepancies. When we issue an AD, we must include actions that are necessary to address the unsafe condition. We acknowledge that the existing regulations provide acceptable requirements to ensure proper maintenance inspection and operation. However, we also typically include actions in ADs to ensure that operators do not overlook (unintentionally or otherwise) the necessity of accomplishing on-condition repairs or replacements related to actions that are necessary to address unsafe conditions. We have not found a similar unsafe condition on ELTs from other manufacturers. For the ELTs identified in this AD, repairs or replacements must be done if discrepancies are found, except as provided by paragraph (j) of this AD. We have not changed this AD in this regard.

However, we have revised paragraphs (h)(1) and (h)(2) of this AD to clarify that either a repair or replacement may be done if any of the conditions identified in those paragraphs is found. Paragraphs (h)(1) and (h)(2) of the proposed AD had only specified that a replacement must be done. An ELT may be repaired using approved maintenance practices and following 14 CFR 91.207(a), 14 CFR 91.207(f), and 14 CFR 135.168, as applicable, and other applicable operating rules under subchapters F and G of 14 CFR chapter I. Repairs must be done at an authorized repair station. For clarity, we added a reference to 14 CFR 135.168 to specify the applicable regulation for rotorcraft that affects ELTs.

We have also revised paragraph (h)(3) of this AD to clarify that all discrepancies must be repaired using approved maintenance practices and to add a reference to 14 CFR 135.168. In addition, we revised paragraph (g) of this AD to include a reference to 14 CFR 135.168.

Request To Require the Use of Specific Equipment

Michael L. Dworkin, legal representative for Ameri-King, requested that we revise the requirements of the proposed AD to include requiring the use of Ameri-King compatible equipment, as currently specified in Ameri-King's Installation & Operations Manuals, for the functional and operations tests. Ameri-King stated that non-compatible equipment will damage the ELT and may produce erroneous test results.

We agree with the commenter that operators should use Ameri-King compatible equipment as identified in Ameri-King's Installation & Operations Manuals. However, this AD requires operators to do actions in accordance with section 3.4, ''Periodic Maintenance,'' of Ameri-King Corporation Document IM–450, ''INSTALLATION & OPERATION MANUAL,'' Revision A, dated October 18, 1995; or section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014. The steps in those sections either do not specify test equipment that must be used or specify a type of equipment ''or equivalent'' that must be used. Therefore, we have determined it is not necessary to revise this AD in this regard.

Request To Allow Operators To Determine if the ELT Is Functional

Michael Dunn requested that we allow operators to determine if the ELT is functional. The commenter noted his AK–451 ELT was inadvertently set off and it worked.

We disagree with the commenter's request. The service information specified in this AD provides instructions for testing the ELT, and we have determined this test is necessary to address the identified unsafe condition.

We have not changed this AD in this regard.

Request To Revise Work-Hour Estimate

Richard Koehler stated the number of work-hours specified in the NPRM for the inspection is high. The commenter stated the inspection should be done in about 20 minutes, particularly when done in concert with an annual inspection. We infer the commenter is requesting that we revise the 2 work-hours specified in the ''Costs of Compliance'' paragraph in the preamble of the NPRM.

We disagree with the request to revise the work hours. The specified number of work hours is only an estimate. The estimate does not assume operators will do the required inspection concurrently with other actions that are not mandated by this AD. Operators may accomplish required actions concurrently with other actions, provided the AD actions are done within the specified compliance time. We have not revised this AD in this regard.

Explanation of Removal of Paragraph (h)(4) of the Proposed AD

Paragraph (h)(4) of the proposed AD is an exception to the service information and provides specific instructions to replace non-functioning batteries. We have determined that this AD does not need to specify those instructions as an exception to paragraph (g) of this AD. Replacing affected batteries as required by paragraph (g) of this AD addresses the identified unsafe condition for ELTs with non-functioning batteries. Therefore we have not included paragraph (h)(4) of the proposed AD in the regulatory text of this AD.

Request To Correct the Number of Replacement Batteries

Leon Rinke stated that paragraph (h)(4)(i) of the proposed AD specifies to use four ''D'' cell batteries, but the AK–450 ELT uses six ''D'' cell batteries, as specified in the maintenance manual. We infer the commenter is requesting that we revise paragraph (h)(4)(i) of the proposed AD to correct the number of replacement batteries.

We agree with the commenter's statement for the reasons provided. However, we have not revised this AD because paragraph (h)(4)(i) of the proposed AD is not included in the regulatory text of this AD.

Explanation of Change to Table 1 to Paragraph (c) of This AD

We have confirmed with Ameri-King that Bell Helicopter Textron Canada Limited rotorcraft did not receive Ameri-King ELTs. Therefore, we have removed Bell Helicopter Textron Canada Limited rotorcraft from table 1 to paragraph (c) of this AD, which lists known aircraft that might have the affected ELTs installed. However, if an affected ELT is installed on any Bell Helicopter Textron Canada Limited rotorcraft, this AD applies to that rotorcraft.

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 and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

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

Related Service Information Under 1 CFR Part 51

We reviewed section 3.4, ''Periodic Maintenance,'' Ameri-King Corporation Document IM–450, ''INSTALLATION & OPERATION MANUAL,'' Revision A, dated October 18, 1995; and section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014. The service information describes procedures for inspections of the ELT for discrepancies; checks, tests, and verifications to ensure the ELT is functioning; and corrective actions. Corrective actions include replacing affected parts. These documents are distinct because they apply to different Ameri-King Corporation ELT models. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

We estimate that this AD affects 14,500 ELTs installed on various aircraft 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
Inspections, checks, tests, and verifications.	2 work-hours × $85 per hour = $170 per inspection cycle.	$170 per inspection cycle	$2,465,000 per inspection cycle.

We estimate the following costs to do any necessary replacements that would be required based on the results of the inspections, checks, tests, and verifications. We have no way of determining the number of aircraft that might need these replacements.

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement	4 work-hours × $85 per hour = $340.	Between $600 and $1,500	Between $940 and $1,840.

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):

2017–16–01 Ameri-King Corporation: Amendment 39–18978; Docket No. FAA–2016–6673; Directorate Identifier 2015–NM–092–AD.

(a) Effective Date

This AD is effective October 24, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Ameri-King Corporation Model AK–450–( ) and AK–451–( ) series emergency locator transmitters (ELTs). This appliance is installed on, but not limited to, aircraft identified in table 1 to paragraph (c) of this AD.

TABLE 1 TO PARAGRAPH (c) OF THIS AD—CERTAIN AIRCRAFT THAT MIGHT HAVE AFFECTED ELTS INSTALLED

Aircraft	ELT model
Airbus rotorcraft	AK–451.
American Champion Aircraft Corp. airplanes	AK–450 and AK–451.
Aviat Aircraft Inc. airplanes	AK–450.
Beechcraft Corporation airplanes	AK–451.
Bombardier Inc. airplanes	AK–451.
Cessna Aircraft Company airplanes	AK–451.
Cirrus Design Corporation airplanes	AK–451.
Diamond Aircraft Industries Inc. airplanes	AK–450 and AK–451.
Eclipse Aerospace Inc. airplanes	AK–451.
Embraer S.A. airplanes	AK–451.
KitFox Aircraft LLC (formerly SkyStar Aircraft Corporation and also Denney Aerocraft Company) airplanes	AK–450.
Luscombe Aircraft Corporation airplanes	AK–450 and AK–451.
Mooney Aircraft Corporation airplanes	AK–450.
Piper Aircraft Inc. airplanes	AK–451.
Robinson Helicopter Company rotorcraft	AK–451.
Sikorsky Aircraft Corporation rotorcraft	AK–451.
SOCATA, S.A., Socata Groupe Aerospatiale airplanes	AK–450.
Twin Commander Aircraft LLC airplanes	AK–451.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 2562, Emergency Locator Beacon.

(e) Unsafe Condition

This AD was prompted by multiple reports of ELT failure. This AD was also prompted by a report of noncompliance to quality standards and manufacturer processes related to Ameri-King Corporation ELTs. Failure to adhere to these standards and processes could result in ELTs that do not function. We are issuing this AD to detect and correct nonfunctioning ELTs, which, if not corrected, could delay or impede the rescue of the flightcrew and passengers after an emergency landing.

(f) Compliance

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

(g) Repetitive Actions and Corrective Actions

Within 12 months after the effective date of this AD, do general visual inspections of the ELT for discrepancies; checks, tests, and verifications, as applicable, to ensure the ELT is functioning; and all applicable corrective actions; in accordance with section 3.4, ''Periodic Maintenance,'' of Ameri-King Corporation Document IM–450, ''INSTALLATION & OPERATION MANUAL,'' Revision A, dated October 18, 1995; or section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014; as applicable; and as required by paragraph (h) of this AD. Do all applicable corrective actions following 14 CFR 91.207(a), 14 CFR 91.207(f), and 14 CFR 135.168, as applicable, and other applicable operating rules under subchapters F and G of 14 CFR chapter I (hereafter referred to as ''other applicable operating rules'') after accomplishing the inspections, checks, tests, and verifications. Repeat the inspections and

applicable checks, tests, and verifications thereafter at intervals not to exceed 12 months until the terminating action specified in paragraph (j) of this AD is done. Operators are not required to get replacement batteries from Ameri-King Corporation.

(h) Additional Corrective Actions

(1) If, during any action required by paragraph (g) of this AD, any ELT fails the functional test specified in step 6., the verification specified in step 7., or the activation check specified in step 8., of section 3.4, ''Periodic Maintenance,'' of Ameri-King Corporation Document IM–450, ''INSTALLATION & OPERATION MANUAL,'' Revision A, dated October 18, 1995, do the actions specified in paragraph (h)(1)(i) or (h)(1)(ii) of this AD.

(i) Replace the affected Model AK–450–( ) ELT with a serviceable FAA-approved ELT as specified in paragraph (i) of this AD (''Definition of Serviceable FAA-approved ELT''), following 14 CFR 91.207(a), 14 CFR 91.207(f), and 14 CFR 135.168, as applicable, and other applicable operating rules.

(ii) Repair the ELT using approved maintenance practices and following 14 CFR 91.207(a), 14 CFR 91.207(f), and 14 CFR 135.168, as applicable, and other applicable operating rules.

(2) If, during any action required by paragraph (g) of this AD, any ELT fails any of the actions specified in paragraphs (h)(2)(i) through (h)(2)(v) of this AD: Replace the affected Model AK–451–( ) ELT with a serviceable FAA-approved ELT as specified in paragraph (i) of this AD (''Definition of Serviceable FAA-approved ELT''), following 14 CFR 91.207(a), 14 CFR 91.207(f), and 14 CFR 135.168, as applicable, and other applicable operating rules; or repair the ELT using approved maintenance practices and following 14 CFR 91.207(a), 14 CFR 91.207(f), and 14 CFR 135.168, as applicable, and other applicable operating rules.

(i) The operational test specified in step 3.4.6 of section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' of Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014.

(ii) Any check specified in step 3.4.7 of section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' of Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014.

(iii) The digital message verification specified in step 3.4.8 of section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' of Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014.

(iv) The registration verification specified in step 3.4.9 of section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' of Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014.

(v) The verification of the ELT and global positioning system (GPS) interface specified in step 3.4.10 of section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' of Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014.

(3) If, during any action required by paragraph (g) of this AD, any of the discrepancies specified in paragraphs (h)(3)(i) through (h)(3)(vi) of this AD are found, repair all discrepancies using approved maintenance practices and following 14 CFR 91.207(a), 14 CFR 91.207(f), and 14 CFR 135.168, as applicable, and other applicable operating rules.

(i) Any unsecured fastener or mechanical assembly.

(ii) Any cuts or abrasions on the coaxial cable outer jacket.

(iii) Any corrosion on the ''BNC'' connectors and mating plug on the antenna and the ELT main unit.

(iv) Any wear or abrasion on the modular cable outer jacket.

(v) Any corrosion on the jack and plug of the modular connecting cable.

(vi) Any corrosion on the battery compartment.

(i) Definition of Serviceable FAA-Approved ELT

For the purposes of this AD, a serviceable FAA-approved ELT is any FAA-approved ELT other than a Model AK–450–( ) and AK–451–( ) series ELT produced by Ameri-King Corporation.

(j) Optional Terminating Action

Doing the applicable action specified in paragraph (j)(1) or (j)(2) of this AD terminates the actions required by paragraphs (g) and (h) of this AD.

(1) For aircraft required by operating regulations to be equipped with an ELT: Replace the ELT with a serviceable FAA-approved ELT as specified in paragraph (i) of this AD (''Definition of Serviceable FAA-approved ELT'').

(2) For aircraft not required by operating regulations to be equipped with an ELT: Replace the ELT with a serviceable FAA-approved ELT as specified in paragraph (i) of this AD (''Definition of Serviceable FAA-approved ELT''). The ELT may be removed as an alternative to the ELT replacement; if an ELT is re-installed, it must be a serviceable ELT as specified in paragraph (i) of this AD (''Definition of Serviceable FAA-approved ELT'').

(k) Alternative Methods of Compliance (AMOCs)

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

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

(l) Related Information

For more information about this AD, contact Gilbert Ceballos, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5372; fax: 562–627–5210; email: *gilbert.ceballos@faa.gov.*

(m) 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 3.4, ''Periodic Maintenance,'' Ameri-King Corporation Document IM–450, ''INSTALLATION & OPERATION MANUAL,'' Revision A, dated October 18, 1995.

(ii) Section 3.4, ''Periodic Maintenance (Instructions for Continued Airworthiness),'' Ameri-King Corporation Document IM–451, ''INSTALLATION AND OPERATION MANUAL,'' Revision NC–4.1h, dated July 5, 2014.

(3) For service information identified in this AD, contact Gilbert Ceballos, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5372; fax: 562–627–5210; email: *gilbert.ceballos@faa.gov.*

(4) You may view this 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.

(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 19, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–16048 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

16 CFR Part 259

Guide Concerning Fuel Economy Advertising for New Automobiles

AGENCY: Federal Trade Commission.

ACTION: Final rule; adoption of revised guides.

SUMMARY: The Federal Trade Commission (''FTC'' or ''Commission'') issues final amendments to the Guide Concerning Fuel Economy Advertising for New Automobiles (''Fuel Economy Guide'' or ''Guide'') to address advertising claims prevalent in the market and harmonize with current Environmental Protection Agency (''EPA'') and National Highway Traffic Safety Administration (''NHTSA'') fuel economy labeling rules.

DATES: Effective October 19, 2017.

FOR FURTHER INFORMATION CONTACT: Hampton Newsome, (202) 326–2889, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Room C–9528, 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Background

In 1975, the Commission issued the Fuel Economy Guide (16 CFR part 259) (40 FR 42003 (Sep. 10, 1975)) to prevent deceptive fuel economy advertising for new automobiles and facilitate the use of fuel efficiency information in advertising. To accomplish these goals, the Guide advises advertisers to disclose established EPA fuel economy estimates (*e.g.,* miles per gallon or ''MPG'') whenever they make any fuel economy claim based on those estimates. In addition, if advertisers make claims based on non-EPA tests, the Guide advises them to disclose EPA-derived information and provide details about the non-EPA tests, such as the test's source, driving conditions, and vehicle configurations.

The Guide helps advertisers avoid deceptive or unfair fuel economy claims.[1] It does not address the adequacy of EPA fuel economy test procedures or the accuracy of EPA label content. Such issues fall within the EPA's purview and are generally outside the Guide's scope.

II. Guide Amendments

On June 6, 2016, the Commission sought comment on proposed amendments to the Guide (81 FR 36216) (''2016 Notice''). Consistent with the Commission's other guides, these proposed changes updated the Guide's format with a list of general principles to help advertisers avoid deceptive practices and detailed examples to illustrate those principles. Additionally, the proposed amendments provided guidance on claims involving EPA-based MPG ratings, non-EPA tests, vehicle configuration, fuel economy range, and alternative fueled vehicles. The Commission conducted Internet-based research exploring consumer perceptions of certain fuel economy marketing claims.[2] The Commission based the proposed amendments on this research, as well as the EPA and NHTSA regulations, which have been amended since the last Guide review. The Commission received seven comments in response.[3] Having reviewed these comments, the Commission now publishes its final amendments to the Guide.

III. Issues Discussed in the Comments

As discussed below, the comments addressed several issues, including the Guide's overall benefits, single mileage claims, alternative fueled vehicle claims, non-EPA estimates in advertising, and the Guide's format and wording.

A. Guide Benefits

The commenters generally supported the proposed Guide revisions. For example, the Alliance noted that the amendments ''represent a constructive revision.'' Commenter Hilandera added that the changes ''add transparency to advertising by local dealers and national media'' and help consumers ''evaluate whether or not to purchase a particular car model.'' Commenters also commended the FTC consumer research. The Global Automakers stated that the study results ''allow for better, data-based evaluation of advertising statements, rather than speculating on how consumers might interpret those statements.''[4] NADA noted the research lends ''support to several of the proposed changes to the Guide.''

B. Single Mileage Claims

Background: The previous Guide stated that, if an MPG claim involves only city or only highway fuel economy, the advertisement need only disclose the corresponding EPA city or highway estimate (16 CFR 259.2(a)(1)(ii)). In the 2016 Notice, the Commission did not propose changing this approach. The Commission explained that single mileage (*i.e.,* single driving mode) claims are not likely to deceive consumers as long as the advertisement clearly identifies the type of estimate (*e.g.,* city, highway, or combined), and the estimate matches the content of the advertised claims. Moreover, consumers have seen such estimates in advertising and on EPA labels for decades. In light of this consumer experience, the Commission stated that it seems unlikely that a single, clearly-identified mileage estimate would lead to deception.

The 2016 Notice further explained that the FTC consumer study supports the conclusion that consumers would not be deceived. For example, when shown a single highway mileage claim (*e.g.,* ''This car is rated at 25 miles per gallon on the highway according to the EPA estimate''), the vast majority of study respondents (74.6%) correctly answered that the car would likely achieve that MPG in highway driving, and the responses for alternative interpretations were low.[5] The results were similar when respondents were asked about a claim for a combination of city and highway driving.[6]

As the Commission explained, this research suggests that single mileage claims do not deceive consumers as long as the claim specifies the mode of driving involved (*e.g.,* highway, combined, etc.). Given the absence of evidence demonstrating that such claims are deceptive, the Commission did not propose changes. Thus, consistent with the previous Guide, the Commission proposed a provision (§ 259.4(c)) that continued to advise marketers that EPA fuel economy estimates should match the type of driving claims (*e.g.,* city, highway, general, etc.) appearing in the advertisements. For instance, if the advertiser makes a city fuel economy claim, it should disclose the city rating. Likewise, where an advertiser makes a general fuel economy claim, it should disclose both the highway and city rating (or combined) to prevent deception.

[1] The Guide does not have the force and effect of law and is not independently enforceable. However, failure to comply with industry guides may be an unfair or deceptive practice. The Commission can take action if a business engages in unfair or deceptive practices in violation of Section 5 of the FTC Act (15 U.S.C. 45(a)).

[2] Additional information about the study, including the questionnaire and results, is available on the FTC Web site. *See https://www.ftc.gov/policy/public-comments/initiative-663.*

[3] The comments can be found at *https://www.ftc.gov/policy/public-comments/initiative-663.* They include: Consumer Federation of America (CFA) and the Center for Auto Safety (CAS) (jointly) (referred herein as ''CFA'') (#13); National Automobile Dealers Association (NADA) (#11); Association of Global Automakers (Global Automakers) #9; Auto Alliance (Alliance) (#10); Growth Energy (#8); Isenberg (#6), and Hilandera (#7).

[4] One commenter (Isenberg) noted that EPA and FTC should improve fuel economy testing. However, as explained above, testing accuracy falls outside of the Guide's scope.

[5] *See* Q5c. The response results for other choices, with no control, were: city rating (5.8%), combined rating (10.7%), unsure (5.5%), and none of the above (3.5%).

[6] The results for Q5d were, not accounting for a control: combined (76.6%), highway (10%), city (4.2%), not sure (6.2%), and none of the above (2.5%).

Comments: The comments differed about the proposed guidance for single mileage claims. Some supported the Commission's proposal. For instance, Global Automakers argued that the consumer research supports the Commission's conclusion and that, after 40 years of federally-mandated fuel economy information, ''consumers are very aware of the significance of city vs. highway fuel economy estimates.'' However, CFA strongly disagreed, arguing that a single city or highway MPG number is deceptive.

According to CFA, advertisers' failure to disclose city or combined ratings along with the highway rating constitutes a material omission likely to mislead consumers. In CFA's view, because no consistent relationship exists between city and highway estimates, consumers cannot infer one of the ratings based solely on the other or predict their own experience based on a single rating. Accordingly, CFA argued that automobile advertisers should present both the highway and city numbers, the combined, or all three in their fuel economy advertising. As detailed below, in support of this position, CFA discussed the FTC's research, submitted its own research, and highlighted additional arguments supporting its contention that highway-only MPG claims are misleading.

First, CFA addressed and critiqued the FTC research and associated analysis, claiming that the Commission failed to highlight a key result and that the study's question ordering led to biased responses. Specifically, CFA argued the results of Question 6c reveal that a single mileage claim is likely to deceive a significant minority of consumers. The question presented respondents with a claim stating that ''This car is rated at 25 miles per gallon on the highway according to the EPA estimate'' (Q6c) and then asked them whether they would expect to achieve that rating if they used the advertised vehicle for all their driving. According to the results, 20.7% of the respondents said they would probably get 25 MPG overall for all their driving. CFA contended this result demonstrates that, even if accompanied by a clear and prominent disclaimer that applies only to highway driving, a single mileage number misleads a significant minority of consumers into overestimating the MPG they will achieve.

Additionally, CFA claimed the questions most relevant to the single mileage claim appeared after ''respondents had already experienced a number of questions emphasizing the distinction between highway and city driving and estimates.'' [7] CFA contended the appearance of the city and highway mileage claims earlier in the questionnaire biased responses to subsequent questions.

CFA also highlighted its own research. Its national telephone survey presented three questions. First, it showed respondents an advertisement stating ''31 miles per gallon EPA highway estimate'' and then asked whether they would be more or less likely to consider buying the vehicle if that advertisement also stated ''19 miles per gallon EPA city estimate.'' Overall, 43% of respondents said the city number would affect their behavior (26% said it would make them less likely to buy the car, while 17% said it would make them more likely). CFA asserted that, because over two-fifths of the respondents said the city rating disclosure would change their behavior, advertising should present both numbers.

Second, the CFA survey asked respondents whether ''it is misleading to allow advertisers to present only a vehicle's miles per gallon estimate for highway driving.'' Before presenting this question, the survey informed participants that ''[v]ehicles nearly always get more miles per gallon, or higher mileage per gallon, on highway driving than on city driving.'' Sixty four percent of respondents indicated that presenting only the highway number in advertising is misleading. Third, the CFA survey asked respondents which type of claim (*i.e.,* highway and city MPG, combined MPG, city MPG only, or highway MPG only) automobile advertisers should be required to make in ''a fuel economy claim.'' In response, 65% identified both highway and city, 23% pointed to a combined estimate, 6% to the city rating, and only 3% to the highway number.

Finally, CFA made several additional points. First, it explained that consumers are less likely to drive on the highway than in the city. It noted that, in approximating typical consumer driving patterns, the EPA combined number assumes 45% highway driving and 55% city driving. Second, it presented data demonstrating that little correlation exists for the majority of vehicles between a vehicle's highway MPG and its corresponding city or combined MPG. Given this variability, CFA concluded that consumers cannot accurately infer a model's city or combined MPG from a single highway rating, and those who attempt to make such an inference would be misled by a single mileage number.[8] CFA further argued that, despite this variability, FTC has concluded consumers have a particular understanding of the relationship between city and highway ratings that leads them to ''impute their own expected mileage, or compare mileages, based on just the highway number.'' CFA concluded that the city and highway MPG figures together allow consumers better to assess, based on their own personal experience, MPG differences among vehicles.

Discussion: Consistent with the Commission's previous guidance, the final Guide does not advise against advertisers making single mileage claims.[9] Neither the FTC study nor the comments provide clear evidence that such claims are deceptive. As detailed in the 2016 Notice, the FTC research suggests single mileage claims do not lead consumers to believe they will achieve that rating in other modes of driving. In addition, as discussed below, such claims do not appear to constitute a deceptive omission. While including MPG ratings for multiple modes of driving in advertising (*e.g.,* disclosure of both city and highway MPG, or combined MPG) provides consumers with more information about vehicle fuel economy, the FTC Act requires advertisers to disclose only information that is necessary to prevent consumers from being misled—not all information that consumers may deem useful. As discussed below, the Commission disagrees with CFA's interpretation of the FTC study results. In addition, CFA's own research does not provide convincing evidence of deception.

First, the Commission disagrees with CFA's assertion that the question Q6 responses demonstrate a single mileage claim deceives a significant minority of consumers. Question Q6c specifically asked respondents to read the statement ''This car is rated at 25 miles per gallon on the highway according to the EPA estimate,'' and to choose a closed-ended answer that ''best describes what you would expect to get if you used this car for *all* your driving.'' Respondents chose from several close-ended answers indicating whether their results, based on their own driving, would be higher than, lower than, or similar to the advertised rating. As CFA noted, 20.7%

[7] These prior questions included Q3b, Q3c–e, and Q5a.

[8] Likewise, CFA asserted that the appearance of the city rating only in an advertisement is equally misleading. However, CFA stated that ''[i]f the FTC were to allow only one number, which we don't recommend, in order to avoid deception, they should only allow just the city as that is the condition under which most people drive, according to the EPA.''

[9] The final Guide continues to advise against unqualified mileage claims that fail to specify driving mode (*e.g.,* 46 MPG) (§ 259.4(c)).

of participants responded, ''I would probably get 25 miles per gallon.'' In CFA's view, this figure demonstrates that the claim deceived a significant minority because these participants believed the highway rating would be achieved in all of their driving.

However, the responses to Q6 do not provide a reliable measure of whether a highway-driving claim leads respondents to take away a false or misleading claim about ratings for other driving modes. First, because the survey asked respondents to consider their own driving habits, some portion of this 20% may be consumers who drive a lot on the highway. Those consumers' answers do not demonstrate that the disclosure was deceptive. Second, because there is no control for these particular results, some portion of the answers likely represents random guessing, confusion about the question, or other factors absent in a real-world advertising context.[10] Thus, although comparing responses across questions Q6a–c helps to gauge how respondents' expectations for their own mileage may generally differ depending on the claim, the responses to these individual questions, considered in isolation, do not provide meaningful, specific measures of whether any of these claims are false or misleading.

Second, contrary to the commenters' suggestions, the question sequence in the FTC study is unlikely to have significantly impacted the research results. According to CFA, questions involving different driving modes appeared early in the survey. In its view, these questions ''sensitized'' (or ''educated'') participants and caused them to answer later questions about driving modes differently than they would have if they had not been exposed to these prior questions. CFA pointed to three examples of questions appearing early in the study (Q3b, Q3c–e, and Q5a) that, in its view, tainted later results. However, the questions themselves did not mention different driving modes. Additionally, two of these three examples (Q3b and Q5a) were open-ended questions, where participants typed their answers into a blank text box.[11] Though some respondents mentioned highway and city driving in their typed responses, no respondent could see any answer other than their own. Therefore, the questions could not have sensitized study participants.

Additionally, the other example offered by the commenters, Q3c–3e (each respondent answered only one of these), is unlikely to have biased respondents. These questions displayed several closed-ended answers, one of which read, ''This model gets up to 30 miles per gallon depending on whether it's highway or city driving.'' The questions did not specify whether one mode of driving yields different mileage than the other.[12] Despite the mention of highway and city driving, it is unlikely the mention of these modes of driving biased respondents in answering subsequent questions. For decades, miles per gallon ratings for highway and city driving have been familiar concepts in advertising. These ratings routinely appear in television advertising, on Web sites, and on vehicle labels in showrooms. Thus, the reference to modes of driving is not likely to be novel to typical consumers, particularly the recent or prospective car purchasers who participated in the study. Accordingly, the limited mention of driving modes in this prior question is unlikely to have affected significantly respondents' subsequent answers.

Third, several aspects of the CFA study reduce its utility in addressing the question at hand. For instance, CFA's first study question, QE1, asked whether adding a city rating to a highway rating claim would change the likelihood participants would purchase a particular car. As constructed, the question merely provides evidence that the city mileage rating may be useful to the consumer's decision. It does not demonstrate that the highway rating, standing alone, is deceptive. In addition, the two other principal questions in the study (questions QE2 and QE3) sought the respondents' personal opinions about whether certain claims would be misleading or desirable. Such opinion questions do not furnish reliable evidence about deception because they rely on respondents' opinions about the claim's effects, as well as their own understanding of what deception means. QE3 is additionally problematic because it asks respondents only to identify disclosures that ''auto advertisers should be required to include if making a fuel economy claim,'' even though consumers could have various reasons other than the prevention of deception for wanting advertisers to disclose this information. Finally, the study's lack of control questions reduces its usefulness, particularly given that CFA's questions seek respondents' personal opinions, as discussed above.

Fourth, CFA argued that a highway mileage-only claim constitutes a misleading omission because consumers are not aware that city ratings can be substantially lower than highway numbers and, instead, believe a city rating can be derived from the vehicle's highway number. As CFA explained, no consistent relationship exists between city and highway ratings among models on the market.[13] Compared to the highway ratings, city ratings can be much lower, slightly lower, and even greater in some cases. These facts do not demonstrate that single mileage claims are deceptive. In its Policy Statement on Deception, the Commission explained that a ''misleading omission occurs when qualifying information necessary to prevent a practice, claim, representation, or reasonable expectation or belief from being misleading is not disclosed.'' [14] In this case, the FTC research suggests that consumers are not misled by stand-alone highway mode claims. As discussed above, the CFA research does not clearly indicate otherwise. Additionally, there is no clear indication consumers misperceive the relationship between city and highway ratings in a particular way that renders otherwise truthful highway mileage claims misleading. In fact, given the

[10] *See, e.g.,* Diamond, Shari S. ''Reference Guide on Survey Research.'' *Reference Manual on Scientific Evidence, Third Edition,* Federal Judicial Center, 359–424, *https://www.fjc.gov/sites/default/files/2015/SciMan3D01.pdf.*

[11] Terms listed in the questionnaire codebook (*e.g.,* ''highway'' in Question 18) may have suggested that these questions presented respondents with specific answer choices (*i.e.,* were close-ended). In fact, the terms listed in the codebook are the code categories used to sort respondents' individual answers to these open-ended questions.

[12] Although consumers may have their own preconceived notions about the significance of different fuel economy ratings, the question itself did not provide such information.

[13] CFA asserted that the FTC has concluded consumers have a particular understanding of the relationship between city and highway ratings that leads them to ''impute their own expected mileage, or compare mileages, based on just the highway number.'' Although the Commission observed that many respondents expect the combined MPG to be lower than highway (81 FR at 36220, n. 31), the Commission did not intend to imply that consumers can impute the combined or city MPG based on the highway number.

[14] *See* FTC Policy Statement on Deception, appended to *Cliffdale Associates, Inc.,* 103 F.T.C. 110, 174 (1984) (*https://www.ftc.gov/public-statements/1983/10/ftc-policy-statement-deception*) (''Deception Policy Statement''). ''In determining whether an omission is deceptive, the Commission will examine the overall impression created by a practice, claim, or representation. For example, the practice of offering a product for sale creates an implied representation that it is fit for the purposes for which it is sold. Failure to disclose that the product is not fit constitutes a deceptive omission. . . . Omissions may also be deceptive where the representations made are not literally misleading, if those representations create a reasonable expectation or belief among consumers which is misleading, absent the omitted disclosure.'' *Id.* at n. 4.

wide, longstanding availability of highway and city mileage ratings in the market, such misperception seems unlikely.

C. Alternative Fuels

Background: The proposed Guide amendments advise marketers that, if a flexible fueled vehicle (FFV) advertisement mentions the vehicle's flexible fuel capability and makes a fuel economy claim, it should include the EPA fuel economy estimates for both gasoline and alternative fuel operation. The proposed Guide further explains that, without such disclosures, consumers may assume the advertised MPG rating applies both to gasoline and alternative fuel operation.

Comments: The comments raised two concerns about this guidance. First, the Alliance asked the Commission to clarify that advertisers may provide only one fuel economy rating for FFVs if the advertisement clearly states the rating applies to gasoline operation. In the Alliance's view, the manufacturer should be able to highlight the vehicle's rating under a single fuel without adding unnecessary wording to disclose both fuel ratings. According to the Alliance, such claims are not deceptive as long as ''the advertised rating cannot reasonably be understood by the consumer to apply to both fuels.''

Second, the Global Automakers and the Alliance asked for clarification that the proposed flex-fuel guidance does not apply to plug-in hybrids (PHEVs), which are rated for both charge-depleting (expressed in MPGe) and charge-sustaining operation. These commenters noted that the Commission did not propose advising advertisers to disclose MPGe in advertising for electric vehicles because it is unclear whether such disclosures are essential to preventing deception and whether consumers understand and use such disclosures.[15]

Discussion: The Commission has modified the FFV guidance to address the Alliance's suggestion regarding qualifications for FFV gasoline mileage claims. We agree that a clear and prominent disclosure limited to gasoline operation may obviate the need to disclose the vehicle's alternative fuel mileage. The final amendments contain language acknowledging this possibility.[16] In addition, in response to comments about PHEVs, the Commission has modified the final Guide to clarify the example does not apply to such vehicles.

D. Non-EPA Estimates

Background: Since its initial publication, the Guide has addressed fuel economy claims based on non-EPA tests. In issuing the Guide in 1975, the Commission explained that ''the use in advertising of fuel economy results obtained from disparate test procedures may unfairly and deceptively deny to consumers information which will enable them to compare advertised automobiles on the basis of fuel economy.''[17] The current Guide advises advertisers to provide several disclosures whenever they make a fuel economy claim based on non-EPA information. Specifically, § 259.2(c) states that fuel economy claims based on such information should: (1) Disclose the corresponding EPA estimates with more prominence than other estimates; (2) identify the source of the non-EPA information; and (3) disclose how the non-EPA test differs from the EPA test in terms of driving conditions and other relevant variables.

In its 2016 Notice, the Commission did not propose changing this approach. The Commission identified no evidence that fuel economy claims are deceptive if accompanied by the clear and prominent disclosures described above. Therefore, consistent with the previous Guide, the proposed Guide recommended specific disclosures related to non-EPA claims to reduce the possibility of deception.[18] Finally, the previous Guide addressed the relative size and prominence of fuel economy claims based on non-EPA and EPA estimates in television, radio, and print advertisements. The Commission proposed retaining this guidance but also clarifying that it applies to any advertising medium (not solely television, radio, and print).

Comments: Though the comments generally supported the guidance on non-EPA estimates, they raised two issues. First, the Alliance explained that, although such claims are not common, advertisers believe actual driving results achieved under controlled conditions other than the EPA testing methodology may be valuable to consumers in some circumstances. Both the Alliance and the Global Automakers noted that, under limited conditions, manufacturers may want to use non-EPA claims prior to a new vehicle launch when the formal EPA estimates are not yet available. In this case, a manufacturer may give its projection of the anticipated EPA estimates based on its testing using the EPA methodology. If such estimates are clearly identified as projections, the commenters asserted they are not deceptive.

Second, Global Automakers noted that, in some cases, a manufacturer may wish to include actual on-road test results from reputable organizations to provide additional information regarding the vehicle's fuel economy. In explaining the road test procedures and conditions, according to Global Automakers, it should be sufficient to simply state that the data is generated through on-road tests and specify the organization that conducted the tests, without providing extensive details regarding the test procedures and conditions.

Discussion: In the final Guide, the Commission has not changed the non-EPA claims section. Specifically, the final Guide does not address the use of ''preliminary'' test results in advertising. It is not clear how consumers interpret such claims. In addition, the Commission disagrees with Global Automakers regarding disclosures for advertisements containing ''on-road'' test results. Without the full set of disclosures recommended by the Guide, it is not clear whether consumers will understand that such ''road test'' results are inconsistent with the EPA-approved ratings. Given this uncertainty as to what consumers would take away from preliminary test results in advertising, the Commission has decided not to alter the non-EPA claims section.

E. Guide Format and Language

Background: The Commission proposed improving the Guide's format by making it consistent with recently amended FTC guides, such as the Guides for the Use of Environmental Marketing Claims.[19] Under this approach, the Guide includes a list of general principles to help advertisers avoid deceptive practices with detailed examples to illustrate those principles.

Comments: The commenters generally agreed with, or did not comment on, the revised format. CFA, however, raised concerns about the language used to

[15] Growth Energy also asked for clarification that the proposed Guide amendments do not create any changes to the EPA-required labels. They do not. In addition, Growth Energy asked whether the Guide ''in any way limit truthful and substantiated statements an advertiser may make regarding the benefits of FFVs,'' such as environmental benefits. The Guide does not specifically address claims outside of the fuel economy context. However, marketers may wish to consult additional Commission guidance, such as the Guides for the Use of Environmental Marketing Claims (Green Guides) (16 CFR part 260).

[16] *See* § 259.4(j).

[17] 40 FR 42003 (Sept. 10, 1975).

[18] The guidance assumes that the advertised non-EPA estimates are not identical to the EPA estimates.

[19] *See* Guides for the Use of Environmental Marketing Claims (Green Guides) (16 CFR part 260).

identify deceptive claims in the proposed Guide examples.[20] It noted that, the conclusions in several examples state that the claim in question is ''likely'' to be deceptive. CFA noted this approach conflicts with the Green Guides, which generally states the example claims ''are'' deceptive. In the commenters' view, the weaker language in the reformatted Guide serves neither businesses, which seek clear, firm guidance, nor consumers who may fall victim to unscrupulous businesses that make claims inconsistent with the Guides and then point to the Guides' vagueness as a defense. CFA further stated that the lack of clarity hampers the enforcement efforts of state and local consumer protection agencies and private attorneys.[21]

Discussion: The Commission agrees that the guidance should be consistent with similar documents such as the Green Guides (16 CFR part 260) and Endorsement Guides (16 CFR part 255). Because these guides reflect the Commission's understanding of how consumers are likely to interpret the applicable claims, it is reasonable to follow a consistent format for the examples in each. The guides set forth general principles, together with instructive examples, designed to help marketers avoid deceptive claims. However, as noted in the guides themselves, determinations regarding particular claims will depend on the specific advertisement at issue.[22] Nevertheless, to ensure consistency with other guidance and avoid confusion, the Commission has modified the examples in the final Guide consistent with the commenters' suggestion.

[20] The Alliance agreed with the Commission's decision not to provide specific guidance related to fuel economy claims in limited-format advertising. Interested parties may contact the FTC to discuss specific limited-format situations as they arise. Further developments in this area may suggest the need for the development of additional guidelines in the future.

[21] CFA also recommended that the Commission replace the phrase ''estimated MPG'' with ''fuel economy claim'' in proposed § 259.3. The Commission has made this change to clarify the guidance's breadth. In addition, CFA recommended the section clarify that if a MPG number appears in an advertisement, the qualifying information recommended by the Guides (*e.g.,* EPA estimate) should be clearly, conspicuously, and prominently displayed adjacent to the MPG number. The final Guide does not include such a change because the guidance already states such disclosures should appear in ''close proximity'' to the claim.

[22] In determining whether an advertisement, including its format, misleads consumers, the Commission considers the overall ''net impression'' it conveys. *See* Deception Policy Statement, 103 F.T.C. at 175.

List of Subjects in 16 CFR Part 259

Advertising, Fuel economy, Trade practices.

Final Amendments

■ For the reasons set forth in the preamble, the Commission revises 16 CFR part 259 to read as follows:

PART 259—GUIDE CONCERNING FUEL ECONOMY ADVERTISING FOR NEW AUTOMOBILES

Sec.
259.1 Purpose.
259.2 Definitions.
259.3 Qualifications and disclosures.
259.4 Advertising guidance.

Authority: 15 U.S.C. 41–58.

§ 259.1 Purpose.

The Guide in this part contains administrative interpretations of laws enforced by the Federal Trade Commission. Specifically, the Guide addresses the application of Section 5 of the FTC Act (15 U.S.C. 45) to the use of fuel economy information in advertising for new automobiles. This guidance provides the basis for voluntary compliance with the law by advertisers and endorsers. Practices inconsistent with this Guide may result in corrective action by the Commission under Section 5 if, after investigation, the Commission has reason to believe that the practices fall within the scope of conduct declared unlawful by the statute. The Guide sets forth the general principles that the Commission will use in such an investigation together with examples illustrating the application of those principles. The Guide does not purport to cover every possible use of fuel economy in advertising. Whether a particular advertisement is deceptive will depend on the specific advertisement at issue.

§ 259.2 Definitions.

For the purposes of this part, the following definitions shall apply:

Alternative fueled vehicle. Any vehicle that qualifies as a covered vehicle under part 309 of this chapter.

Automobile. Any new passenger automobile, medium duty passenger vehicle, or light truck for which a fuel economy label is required under the Energy Policy and Conservation Act (42 U.S.C. 32901 *et seq.*) or rules promulgated thereunder, the equitable or legal title to which has never been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser or lessee. For the purposes of this part, the terms ''vehicle'' and ''car'' have the same meaning as ''automobile.''

Dealer. Any person located in the United States or any territory thereof engaged in the sale or distribution of new automobiles to the ultimate purchaser.

EPA. The U.S. Environmental Protection Agency.

EPA city fuel economy estimate. The city fuel economy determined in accordance with the city test procedure as defined and determined pursuant to 40 CFR part 600, subpart D.

EPA combined fuel economy estimate. The fuel economy value determined for a vehicle (or vehicles) by harmonically averaging the city and highway fuel economy values, weighted 0.55 and 0.45 respectively, determined pursuant to 40 CFR part 600, subpart D.

EPA driving range estimate. An estimate of the number of miles a vehicle will travel between refueling as defined and determined pursuant to 40 CFR part 600, subpart D.

EPA fuel economy estimate. The average number of miles traveled by an automobile per volume of fuel consumed (*i.e.,* Miles-Per-Gallon (''MPG'') rating) as calculated under 40 CFR part 600, subpart D.

EPA highway fuel economy estimate. The highway fuel economy determined in accordance with the highway test procedure as defined and determined pursuant to 40 CFR part 600, subpart D.

Flexible fueled vehicle. Any motor vehicle (or motor vehicle engine) engineered and designed to be operated on any mixture of two or more different fuels.

Fuel. (1) Gasoline and diesel fuel for gasoline- or diesel-powered automobiles;

(2) Electricity for electrically-powered automobiles;

(3) Alcohol for alcohol-powered automobiles;

(4) Natural gas for natural gas-powered automobiles; or

(5) Any other fuel type used in a vehicle for which EPA requires a fuel economy label under 40 CFR part 600, subpart D.

Manufacturer. Any person engaged in the manufacturing or assembling of new automobiles, including any person importing new automobiles for resale and any person who acts for, and is under the control, of such manufacturer, assembler, or importer in connection with the distribution of new automobiles.

Model type. A unique combination of car line, basic engine, and transmission class as defined by 40 CFR part 600, subpart D.

Ultimate purchaser or lessee. The first person, other than a dealer purchasing in his or her capacity as a dealer, who

in good faith purchases a new automobile for purposes other than resale or leases such vehicle for his or her personal use.

Vehicle configuration. The unique combination of automobile features, as defined in 40 CFR part 600.

§ 259.3 Qualifications and disclosures.

To prevent deceptive claims, qualifications and disclosures should be clear, prominent, and understandable. To make disclosures clear and prominent, marketers should use plain language and sufficiently large type for a person to see and understand them, should place disclosures in close proximity to the qualified claim, and should avoid making inconsistent statements or using distracting elements that could undercut or contradict the disclosure. The disclosures should also appear in the same format as the claim. For example, for television advertisements, if the fuel economy claim appears in the video, the disclosure recommended by this Guide should appear in the visual format; if the fuel economy claim is audio, the disclosure should be in audio.

§ 259.4 Advertising guidance.

(a) *Misrepresentations.* It is deceptive to misrepresent, directly or by implication, the fuel economy or driving range of an automobile.

(b) *General fuel economy claims.* General unqualified fuel economy claims, which do not reference a specific fuel economy estimate, likely convey a wide range of meanings about a vehicle's fuel economy relative to other vehicles. Such claims, which inherently involve comparisons to other vehicles, can mislead consumers about the vehicle class included in the comparison, as well as the extent to which the advertised vehicle's fuel economy differs from other models. Because it is highly unlikely that advertisers can substantiate all reasonable interpretations of these claims, advertisers making general fuel economy claims should disclose the advertised vehicle's EPA fuel economy estimate in the form of the EPA MPG rating.

Example 1: A new car advertisement states: ''This vehicle gets great mileage.'' The claim is likely to convey a variety of meanings, including that the vehicle has a better MPG rating than all or almost all other cars on the market. However, the advertised vehicle's EPA fuel economy estimates are only slightly better than the average vehicle on the market. Because the advertiser cannot substantiate that the vehicle's rating is better than all or almost all other cars on the market, the advertisement is deceptive. In addition, the advertiser may not be able to substantiate other reasonable interpretations of the claim. To avoid deception, the advertisement should disclose the vehicle's EPA fuel economy estimate (*e.g.,* ''EPA-estimated 27 combined MPG'').

Example 2: An advertisement states: ''This car gets great gas mileage compared to other compact cars.'' The claim is likely to convey a variety of meanings, including that the vehicle gets better gas mileage than all or almost all other compact cars. However, the vehicle's EPA fuel economy estimates are only slightly better than average compared to other models in its class. Because the advertiser cannot substantiate that the vehicle's rating is better than all or almost all other compact cars, the advertisement is deceptive. In addition, the advertiser may not be able to substantiate other reasonable interpretations of the claim. To address this problem, the advertisement should disclose the vehicle's EPA fuel economy estimate.

(c) *Matching the EPA estimate to the claim.* EPA fuel economy estimates should match the mode of driving claim appearing in the advertisement. If they do not, consumers are likely to associate the stated fuel economy estimate with a different type of driving. Specifically, if an advertiser makes a city or a highway fuel economy claim, it should disclose the corresponding EPA-estimated city or highway fuel economy estimate. If the advertiser makes both a city and a highway fuel economy claim, it should disclose both the EPA estimated city and highway fuel economy rating. If the advertiser makes a general fuel economy claim without specifically referencing city or highway driving, it should disclose the EPA combined fuel economy estimate, or, alternatively, both the EPA city and highway fuel economy estimates.

Example 1: An automobile advertisement states that model ''XYZ gets great gas mileage in town.'' However, the advertisement does not disclose the EPA city fuel economy estimate. Instead, it only discloses the EPA highway fuel economy estimate, which is higher than the model's city estimate. This claim likely conveys to a significant proportion of reasonable consumers that the highway estimate disclosed in the advertisement applies to city driving. Thus, the advertisement is deceptive to consumers. To remedy this problem, the advertisement should disclose the EPA city fuel economy estimate (*e.g.,* ''32 MPG in the city according to the EPA estimate'').

Example 2: A new car advertisement states that model ''XZA gives you great gas mileage'' but only provides the EPA highway fuel economy estimate. Given the likely inconsistency between the general fuel economy claim, which does not reference a specific type of driving, and the disclosed EPA highway estimate, the advertisement is deceptive to consumers. To address this problem, the advertisement should disclose the EPA combined estimate (*e.g.,* ''37 MPG for combined driving according to the EPA estimate''), or both the EPA city and highway fuel economy estimates.

Example 3: An advertisement states: ''according to EPA estimates, new cars in this class are rated at between 20 and 32 MPG, while the EPA estimate for this car is an impressive 35 MPG highway.'' The advertisement is likely to imply that the 20 to 32 MPG range and 35 MPG estimate are comparable. In fact, the ''20 and 32 MPG'' range reflects EPA city estimates. Therefore, the advertisement is deceptive. To address this problem, the advertisement should only provide an apples-to-apples comparison—either using the highway range for the class or using the city estimate for the advertised vehicle.

(d) *Identifying fuel economy and driving range ratings as estimates.* Advertisers citing EPA fuel economy or driving range figures should disclose that these numbers are estimates. Without such disclosures, consumers may incorrectly assume that they will achieve the mileage or range stated in the advertisement. In fact, their actual mileage or range will likely vary for many reasons, including driving conditions, driving habits, and vehicle maintenance. To address potential deception, advertisers may state that the values are ''EPA estimate(s),'' or use equivalent language that informs consumers that they will not necessarily achieve the stated MPG rating or driving range.

Example 1: An automobile manufacture's Web site states, without qualification, ''This car gets 40 MPG on the highway.'' The claim likely conveys to a significant proportion of reasonable consumers that they will achieve 40 MPG driving this vehicle on the highway. The advertiser based its claim on an EPA highway estimate. However, EPA provides that estimate primarily for comparison purposes—it does not necessarily reflect real world driving results. Therefore, the claim is deceptive. In addition, the use of the term ''gets,'' without qualification, may lead some consumers to believe not only that they can, but will consistently, achieve the stated mileage. To address these problems, the advertisement should clarify that the MPG value is an estimate by stating ''EPA estimate'' or equivalent language.

(e) *Disclosing EPA test as source of fuel economy and driving range estimates.* Advertisers citing any EPA fuel economy or driving range figures should identify EPA as the source of the test so consumers understand that the estimate is comparable to EPA estimates for competing models. Doing so prevents deception by ensuring that consumers do not associate the claimed ratings with a test other than the EPA-required procedures. Advertisers may avoid deception by stating that the values are ''EPA estimate(s),'' or equivalent language that identifies the EPA test as the source.

Example 1: A radio commercial for the ''XTQ'' car states that the vehicle ''is rated at an estimated 28 MPG in the city'' but does not disclose that an EPA test is the source of this MPG estimate. This advertisement may convey that the source of this test is an entity other than EPA. To avoid deception, the advertisement should state that the MPG figures are EPA estimates.

(f) *Specifying driving modes for fuel economy estimates.* If an advertiser cites an EPA fuel economy estimate, it should identify the particular type of driving associated with the estimate (*i.e.,* estimated city, highway, or combined MPG). Advertisements failing to do so can deceive consumers who incorrectly assume the disclosure applies to a specific type of driving, such as combined or highway, which may not be the driving type the advertiser intended. Thus, such consumers may believe the model's fuel economy rating is higher than it actually is.

Example 1: A television commercial for the car model ''ZTA'' informs consumers that the ZTA is rated at ''25 miles per gallon according to the EPA estimate'' but does not disclose whether this number is a highway, city, or combined estimate. The advertisement likely conveys to a significant proportion of reasonable consumers that the 25 MPG figure reflects normal driving (*i.e.,* a combination of city and highway driving), not the highway rating as intended by the advertiser. In fact, the 25 MPG rating is the vehicle's EPA highway estimate. Therefore, the advertisement is deceptive.

(g) *Within vehicle class comparisons.* If an advertisement contains an express comparative fuel economy claim where the relevant comparison is to any group or class, other than all available automobiles, the advertisement should identify the group or class of vehicles used in the comparison. Without such qualifying information, many consumers are likely to assume that the advertisement compares the vehicle to all new automobiles.

Example 1: An advertisement claims that sports car X ''outpaces other cars' gas mileage.'' The claim likely conveys a variety of meanings to a significant proportion of reasonable consumers, including that this vehicle has a higher MPG rating than all or almost all other vehicles on the market. Although the vehicle's MPG rating compares favorably to other sports cars, its fuel economy is only better than roughly half of all new automobiles on the market. Therefore, the claim is deceptive.

(h) *Comparing different model types.* Fuel economy estimates are assigned to specific model types under 40 CFR part 600, subpart D (*i.e.,* unique combinations of car line, basic engine, and transmission class). Therefore, advertisers citing MPG ratings for certain models should ensure that the rating applies to the model type depicted in the advertisement. It is deceptive to state or imply that a rated fuel economy figure applies to a vehicle featured in an advertisement if the estimate does not apply to vehicles of that model type.

Example 1: A manufacturer's advertisement states that model ''PDQ'' gets ''great gas mileage'' but depicts the MPG numbers for a similar model type known as the ''Econo-PDQ.'' The advertisement is likely to convey that the claimed MPG rating applies to all types of the PDQ model. However, the ''Econo-PDQ'' has a better fuel economy rating than other types of the ''PDQ'' model. Therefore, the advertisement is deceptive.

(i) ''*Up to*'' *claims.* Advertisers should avoid using the term ''up to'' without adequate explanatory language if they intend to communicate that certain versions of a model (*i.e.,* model types) are rated at a stated fuel economy estimate. A significant proportion of reasonable consumers are likely to interpret such claims to mean that the stated MPG can be achieved if the vehicle is driven under certain conditions. Therefore, to address the risk of deception, advertisers should qualify the claim by clearly and prominently disclosing the stated MPG applies to a particular vehicle model type.

Example 1: An advertisement states, without further explanation, that a vehicle model VXR will achieve ''up to 40 MPG on the highway.'' The advertisement is based on a particularly efficient type of this model, with specific options, with an EPA highway estimate of 40 MPG. However, other types of model VXR have lower EPA MPG estimates. A significant proportion of reasonable consumers likely interpret the ''up to'' claim as applying to all VXR model types. Therefore, the advertisement is deceptive. To address this problem, the advertisement should clearly and prominently disclose that the 40 MPG rating does not apply to all model types of the VXR or use language other than ''up to'' that better conveys the claim.

(j) *Claims for flexible-fueled vehicles.* Advertisements for flexible-fueled vehicles should not mislead consumers about the vehicle's fuel economy when operated with alternative fuel. If an advertisement for a flexible-fueled vehicle (other than a plug-in hybrid electric vehicle) mentions the vehicle's flexible-fuel capability and makes a fuel economy claim, it should clearly and prominently qualify the claim to identify the type of fuel used. Without such qualification, consumers are likely to take away that the stated fuel economy estimate applies to both gasoline and alternative fuel operation.

Example 1: An automobile advertisement states: ''This flex-fuel powerhouse has a 30 MPG highway rating according to the EPA estimate.'' The advertisement likely implies that the 30 MPG rating applies to both gasoline and alternative fuel operation. In fact, the ethanol EPA estimate for this vehicle is 25 MPG. Therefore, the advertisement is deceptive. To address this problem, the advertisement could clearly and prominently qualify the claim or disclose the MPG ratings for both gasoline and alternative fuel operation.

(k) *General driving range claims.* General unqualified driving range claims, which do not reference a specific driving range estimate, are difficult for consumers to interpret and likely convey a wide range of meanings about a vehicle's range relative to other vehicles. Such claims, which inherently involve comparisons to other vehicles, can mislead consumers about the vehicle class included in the comparison as well as the extent to which the advertised vehicle's driving range differs from other models. Consumers may take away a range of reasonable interpretations from these claims. To avoid possible deception, advertisers making general driving range claims should disclose the advertised vehicle's EPA driving range estimate.

Example 1: An advertisement for an electric vehicle states: ''This car has a great driving range.'' This claim likely conveys a variety of meanings, including that the vehicle has a better driving range than all or almost all other electric vehicles. However, the EPA driving range estimate for this vehicle is only slightly better than roughly half of all other electric vehicles on the market. Because the advertiser cannot substantiate that the vehicle's driving range is better than all or almost all other electric vehicles, the advertisement is deceptive. In addition, the advertiser may not be able to substantiate other reasonable interpretations of the claim. To address this problem, the advertisement should disclose the vehicle's EPA driving range estimate (*e.g.,* ''EPA-estimated range of 70 miles per charge'').

(l) *Use of non-EPA estimates*—(1) *Disclosure content.* Given consumers' exposure to EPA estimated fuel economy values over the last several decades, fuel economy and driving range estimates derived from non-EPA tests can lead to deception if consumers understand such estimates to be fuel economy ratings derived from EPA-required tests. Accordingly, advertisers should avoid such claims and disclose the EPA fuel economy or driving range estimates. However, if an advertisement includes a claim about a vehicle's fuel economy or driving range based on a non-EPA estimate, advertisers should disclose the EPA estimate and disclose with substantially more prominence than the non-EPA estimate:

(i) That the fuel economy or driving range information is based on a non-EPA test;

(ii) The source of the non-EPA test;

(iii) The EPA fuel economy estimates or EPA driving range estimates for the vehicle; and

(iv) All driving conditions or vehicle configurations simulated by the non-EPA test that are different from those used in the EPA test. Such conditions and variables may include, but are not limited to, road or dynamometer test, average speed, range of speed, hot or cold start, temperature, and design or equipment differences.

(2) *Disclosure format.* The Commission regards the following as constituting ''substantially more prominence'':

(i) *For visual disclosures on television.* If the fuel economy claims appear only in the visual portion, the EPA figures should appear in numbers twice as large as those used for any other estimate, and should remain on the screen at least as long as any other estimate. Each EPA figure should be broadcast against a solid color background that contrasts easily with the color used for the numbers when viewed on both color and black and white television.

(ii) *For audio disclosures.* For radio and television advertisements in which any other estimate is used only in the audio, equal prominence should be given to the EPA figures. The Commission will regard the following as constituting equal prominence: The EPA estimated city and/or highway MPG should be stated, either before or after each disclosure of such other estimate, at least as audibly as such other estimate.

(iii) *For print and Internet disclosures.* The EPA figures should appear in clearly legible type at least twice as large as that used for any other estimate. The EPA figures should appear against a solid color, and contrasting background. They may not appear in a footnote unless all references to fuel economy appear in a footnote.

Example 1: An Internet advertisement states: ''Independent driving experts took the QXT car for a weekend spin and managed to get 55 miles-per-gallon under a variety of driving conditions.'' It does not disclose the actual EPA fuel economy estimates, nor does it explain how conditions during the ''weekend spin'' differed from those under the EPA tests. This advertisement likely conveys that the 55 MPG figure is the same or comparable to an EPA fuel economy estimate for the vehicle. This claim is deceptive because it fails to disclose that fuel economy information is based on a non-EPA test, the source of the non-EPA test, the EPA fuel economy estimates for the vehicle, and all driving conditions or vehicle configurations simulated by the non-EPA test that are different from those used in the EPA test.

Example 2: An advertisement states: ''The XZY electric car has a driving range of 110 miles per charge in summer conditions according to our expert's test.'' It provides no additional information regarding this driving range claim. This advertisement likely conveys that this 110-mile driving range figure is comparable to an EPA driving range estimate for the vehicle. The advertisement is deceptive because it does not clearly state that the test is a non-EPA test; it does not provide the EPA estimated driving range; and it does not explain how conditions referred to in the advertisement differed from those under the EPA tests. Without this information, consumers are likely to confuse the claims with range estimates derived from the official EPA test procedures.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2017–19869 Filed 9–18–17; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

16 CFR Parts 300, 301, and 303

RIN 3084–AB29, 3084–AB27, 3084–AB30

Wool Products Labeling; Fur Products Labeling; Textile Fiber Products Identification

AGENCY: Federal Trade Commission.

ACTION: Final rules.

SUMMARY: The Federal Trade Commission (''Commission'' or ''FTC'') amends the Rules and Regulations Under the Wool Products Labeling Act of 1939 (''Wool Rules''), the Rules and Regulations Under Fur Products Labeling Act (''Fur Rules''), and the Rules and Regulations Under the Textile Fiber Products Identification Act (''Textile Rules'') (collectively, ''Rules'') to require the public to submit any requests to obtain, update, or cancel registered identification numbers via the FTC's Web site.

DATES: The amended Rules are effective October 19, 2017.

FOR FURTHER INFORMATION CONTACT: Joshua S. Millard, (202) 326–2454, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Ave. NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Commission is revising the Fur, Textile, and Wool Rules to require electronic filing of requests to obtain, update, or cancel registered identification numbers used on fur, textile, and wool product labels through the FTC's Web site, unless the Commission or its designee instructs otherwise as specified below. The revisions facilitate the use of the Commission's web-based registered identification number (''RN'') system, which will streamline the application and update process for participating businesses, and greatly increase the efficiency with which the FTC delivers RN services to the public. This document describes the background of the RN program and the grounds for revising the relevant parts of the Fur, Textile, and Wool Rules, and sets forth the amended Rules provisions.

II. Background

Federal labeling requirements mandate that most fur, textile, and wool products have a label identifying the manufacturer or other business responsible for marketing or handling the item.[1] To comply with this mandate, a person or firm residing in the United States that imports, manufactures, markets, distributes, or otherwise handles fur, textile, or wool products may apply for an RN to display on product labels in lieu of the person or firm's full name.[2] RNs are not mandatory, but they occupy less space on a label and help buyers identify the person or firm responsible for a product. The public can find contact information for each RN registrant by searching the FTC's public Web page dedicated to the RN program, *https://rn.ftc.gov.*

For over 50 years, to obtain or update an RN, one had to complete and submit a paper form published in the **Federal Register**, or in more recent years, transmit the information requested on that form by electronic means.[3] The FTC receives thousands of new RN applications every year in various formats, thus complicating and slowing the review process.[4]

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[1] *See* 15 U.S.C. 68b(a)(2)(C) (Wool Products Labeling Act of 1939) (''Wool Act''); 15 U.S.C. 69b(2)(E) (Fur Products Labeling Act) (''Fur Act''); 15 U.S.C. 70b(b)(3) (Textile Fiber Products Identification Act) (''Textile Act''); 16 CFR part 300 (Wool Rules); 16 CFR part 301 (Fur Rules); 16 CFR part 303 (Textile Rules). The FTC's public Web site offers a detailed description of products that are subject to, or exempt from, these labeling requirements. *See* Federal Trade Commission, Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts, *https://www.ftc.gov/tips-advice/business-center/guidance/threading-your-way-through-labeling-requirements-under-textile.*

[2] *See* 16 CFR 300.4 (Wool Rules provision); 16 CFR 301.26 (Fur Rules provision); 16 CFR 303.30 (Textile Rules provision).

[3] *See* 17 FR 6075, 6077 (July 8, 1952) (Fur Rule provision 16 CFR 301.26); 24 FR 4480, 4484 (June 2, 1959) (Textile Rule provision 16 CFR 303.20); 29 FR 6622 (May 21, 1964) (Wool Rule provision 16 CFR 300.4).

[4] In recent years, the FTC has issued approximately 3,000 RNs per year.

Recently, the FTC upgraded its RN Web page at *https://rn.ftc.gov* to make it easier for the public to obtain, update, and cancel RNs. As part of this initiative, and to further improve and streamline its handling of RN requests, the FTC is retiring the paper forms previously published in the **Federal Register** and discontinuing the handling of RN requests submitted by mail, hand delivery, or facsimile.

The FTC's upgraded Web site allows the public to create a password-protected user account to obtain or update an RN without requiring more company information than before. To process a new RN application, the Web site asks the applicant in pertinent part to identify its legal name, the name under which it does business, the business' street address, the type of business it conducts (*e.g.,* manufacturing or importing), the product line(s) it handles that are subject to the Fur, Textile, or Wool Acts, and additional contact information (*e.g.,* phone number and email address). The upgraded Web site validates data as applicants enter it, and can immediately advise an applicant in numerous instances if the data is erroneous (*e.g.,* a truncated phone number) or does not appear to meet the requirements for issuance of an RN (*e.g.,* the applicant does not provide a street address in the United States). Users can also visit the Web site and login to request the cancellation of their RNs. Because the information requested to process RN requests has not changed, the FTC is not changing the requirements for RN requests, only specifying the method by which requests must be submitted.

The amended Rules provide that requests made by means other than the FTC's Web site will not be accepted unless otherwise indicated by the Commission or its designee. This provision affords the Commission or its designee the discretion to act on requests submitted by other means when appropriate (*e.g.,* if the FTC's Web site is temporarily unavailable). At this time, the Commission's designee is the Associate Director of the Bureau of Consumer Protection's Division of Enforcement.

III. Procedural Requirements

Under the Administrative Procedure Act, notice and comment requirements do not apply ''to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice.'' 5 U.S.C. 553(b)(A). The final Rules do not change the substantive responsibilities of any entity under the Rules. The revisions merely modify the procedural mechanism for submitting requests relating to RNs. Accordingly, the Commission finds that advance public notice and comment is unnecessary. For this reason, the requirements of the Regulatory Flexibility Act (''RFA'') also do not apply.[5]

IV. Paperwork Reduction Act

The amendments to the Rules do not constitute a new ''collection of information'' under the Paperwork Reduction Act, 44 U.S.C. 3501–3521 (''PRA''). The Rules contain various existing information collection requirements for which the Commission has obtained clearance under the PRA from the Office of Management and Budget. Because these amendments do not trigger additional recordkeeping, disclosure, or reporting requirements, there is no incremental burden under the PRA. *See* 44 U.S.C. 3501 *et seq.*

List of Subjects

16 CFR Part 300

Labeling, Trade practices, Wool.

16 CFR Part 301

Fur, Labeling, Trade practices.

16 CFR Part 303

Labeling, Textiles, Trade practices.

Final Rule Revisions

For the reasons set forth in the preamble, the Federal Trade Commission amends Title 16, Chapter I, Subchapter C of the Code of Federal Regulations, parts 300, 301, and 303 as follows:

PART 300—RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

■ 1. The authority citation for part 300 continues to read as follows:

Authority: 15 U.S.C. 68–68j.

■ 2. In § 300.4, revise paragraphs (c) and (e) to read as follows:

§ 300.4 Registered identification numbers.

* * * * *

(c) Registered identification numbers shall be used only by the person or firm to whom they are issued, and such numbers are not transferable or assignable. Registered identification numbers shall be subject to cancellation whenever any such number was procured or has been used improperly or contrary to the requirements of the Acts administered by the Federal Trade Commission, and regulations in this part, or when otherwise deemed necessary in the public interest. Registered identification numbers shall be subject to cancellation if the Commission fails to receive prompt notification of any change in name, business address, or legal business status of a person or firm to whom a registered identification number has been assigned, by application duly executed in the form and manner set out in paragraph (e) of this section, reflecting the current name, business address, and legal business status of the person or firm.

* * * * *

(e) Requests for a registered identification number, to update information pertaining to an existing number, or to cancel an existing number shall be made through the Commission's Web site at *https://rn.ftc.gov.* Unless otherwise directed by the Commission or its designee, requests made by other means (including but not limited to email) will not be accepted and approved.

PART 301—RULES AND REGULATIONS UNDER FUR PRODUCTS LABELING ACT

■ 3. The authority citation for part 301 continues to read as follows:

Authority: 15 U.S.C. 69 *et seq.*

■ 4. In § 301.26, revise paragraphs (a), (b)(2), and (d) to read as follows:

§ 301.26 Registered identification numbers.

(a) Registered numbers for use as the required identification in lieu of the name on fur product labels as provided in section 4(2)(E) of the Act will be issued by the Commission to qualified persons residing in the United States upon receipt of an application duly executed on the Commission's Web site at *https://rn.ftc.gov* or by such means as the Commission or its designee may direct.

(b) * * *

(2) Registered identification numbers shall be subject to cancellation if the Federal Trade Commission fails to receive prompt notification of any change in name, business address, or legal business status of a person or firm to whom a registered identification number has been assigned, by application duly executed in the form and manner set out in paragraph (d) of this section, reflecting the current name, business address, and legal business status of the person or firm.

* * * * *

[5] A regulatory flexibility analysis under the RFA is required only when an agency must publish a notice of proposed rulemaking for comment. *See* 5 U.S.C. 603.

(d) Requests for a registered identification number, to update information pertaining to an existing number, or to cancel an existing number shall be made through the Commission's Web site at *https://rn.ftc.gov.* Unless otherwise directed by the Commission or its designee, requests made by other means (including but not limited to email) will not be accepted and approved.

PART 303—RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

■ 5. The authority citation for part 303 continues to read as follows:

Authority: 15 U.S.C. 70 *et seq.*

■ 6. Revise § 303.20 to read as follows:

§ 303.20 Registered identification numbers.

(a) Registered numbers for use as the required identification in lieu of the name on textile fiber product labels, as provided in section 4(b)(3) of the Act, will be issued by the Commission to qualified persons residing in the United States upon receipt of an application duly executed on the Commission's Web site at *https://rn.ftc.gov* or by such means as the Commission or its designee may direct.

(b)(1) Registered identification numbers shall be used only by the person or concern to whom they are issued, and such numbers are not transferable or assignable.

(2) Registered identification numbers shall be subject to cancellation whenever any such number was procured or has been used improperly or contrary to the requirements of the Acts administered by the Federal Trade Commission, and regulations promulgated thereunder, or when otherwise deemed necessary in the public interest.

(3) Registered identification numbers shall be subject to cancellation if the Commission fails to receive prompt notification of any change in name, business address, or legal business status of a person or firm to whom a registered identification number has been assigned, by application duly executed on the Commission's Web site at *https://rn.ftc.gov* or by such means as the Commission or its designee may direct.

(c) Registered identification numbers assigned under this section may be used on labels required in labeling products subject to the provisions of the Wool Products Labeling Act and Fur Products Labeling Act, and numbers previously assigned by the Commission under such Acts may be used as and for the required name in labeling under this Act. When so used by the person or firm to whom assigned, the use of the numbers shall be construed as identifying and binding the applicant as fully and in all respects as though assigned under the specific Act for which it is used.

(d) Requests for a registered identification number, to update information pertaining to an existing number, or to cancel an existing number shall be made through the Commission's Web site at *https://rn.ftc.gov.* Unless otherwise directed by the Commission or its designee, requests made by other means (including but not limited to email) will not be accepted and approved.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2017–19868 Filed 9–18–17; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

DEPARTMENT OF THE TREASURY

19 CFR Part 12

[CBP Dec. 17–12]

RIN 1515–AE32

Extension of Import Restrictions Imposed on Archaeological and Ethnological Materials From the Republic of Mali

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

ACTION: Final rule.

SUMMARY: This final rule amends the U.S. Customs and Border Protection (CBP) regulations to reflect an extension of import restrictions on certain archaeological materials from Mali. These restrictions, which were originally imposed by Treasury Decision (T.D.) 93–74, and last extended by CBP Decision (Dec.) 12–14, are due to expire on September 19, 2017. The Acting Under Secretary for Public Diplomacy and Public Affairs, United States Department of State, has determined that conditions warrant the continued imposition of import restrictions on certain archaeological materials and the addition of import restrictions on certain ethnological materials from Mali. The Designated List of cultural property described in CBP Dec. 07–77 is revised in this document to reflect the addition of ethnological materials to include manuscripts dating between the twelfth and twentieth centuries in paper. The import restrictions imposed on the archaeological and ethnological materials from Mali will be in effect for a five-year period, and the CBP regulations are being amended accordingly to reflect this extension through September 19, 2022. These restrictions are being imposed pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act, which implements the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

DATES: Effective September 19, 2017.

FOR FURTHER INFORMATION CONTACT: For regulatory aspects, Lisa L. Burley, Chief, Cargo Security, Carriers and Restricted Merchandise Branch, Regulations and Rulings, Office of Trade, (202) 325–0215, *lisa.burley@cbp.dhs.gov.* For operational aspects, William R. Scopa, Branch Chief, Partner Government Agencies Branch, Trade Policy and Programs, Office of Trade, (202) 863–6554, *William.R.Scopa@cbp.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the provisions of the Convention on Cultural Property Implementation Act (hereafter, ''the Cultural Property Implementation Act'' or ''the Act'' (Pub. L. 97–446, 19 U.S.C. 2601 *et seq.*)), which implements the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (hereinafter, the Convention) in U.S. law, the United States may enter into international agreements with another State Party to the Convention to impose import restrictions on eligible archaeological and ethnological materials under procedures and requirements prescribed by the Act.

In certain limited circumstances, the Cultural Property Implementation Act authorizes the imposition of restrictions on an emergency basis (19 U.S.C. 2603(c)(1)). Under the Act and the applicable CBP regulations (19 CFR 12.104g(b)), emergency restrictions are effective for no more than five years from the date of the State Party's request and may be extended for three years

where it is determined that the emergency condition continues to apply with respect to the covered materials (19 U.S.C. 2603(c)(3)); such restrictions may also be continued pursuant to an agreement concluded within the meaning of the Act (19 U.S.C. 2603(c)(4)).

On September 23, 1993, under the authority of the Cultural Property Implementation Act, the former U.S. Customs Service published Treasury Decision (T.D.) 93–74 in the **Federal Register** (58 FR 49428) imposing emergency import restrictions on archaeological objects from the region of the Niger River Valley of Mali and the Bandiagara Escarpment (Cliff), Republic of Mali (Mali) and accordingly amended 19 CFR 12.104g(b).

On September 19, 1997, the United States entered into a bilateral agreement with Mali that continued without interruption the import restrictions previously placed on the same archaeological material. On September 23, 1997, the former U.S. Customs Service published T.D. 97–80 in the **Federal Register** (62 FR 49594), which amended 19 CFR 12.104g(a) to reflect the imposition of these restrictions, and included a list designating the types of archaeological material covered by the restrictions. (T.D. 97–80 also removed the emergency restrictions for Mali from 19 CFR 12.104g(b).)

Under the Act and applicable U.S. Customs and Border Protection (CBP) regulations (19 CFR 12.104g), the restrictions are effective for no more than five years beginning on the date on which the agreement enters into force with respect to the United States (19 U.S.C. 2602(b)). This period may be extended for additional periods, each such period not to exceed five years, where it is determined that the factors justifying the initial agreement still pertain and no cause for suspension of the agreement exists (19 U.S.C. 2602(e); 19 CFR 12.104g(a)). On September 20, 2002, the former U.S. Customs Service published T.D. 02–55 in the **Federal Register** (67 FR 59159), which amended 19 CFR 12.104g(a) to reflect the extension of these import restrictions for an additional period of five years until September 19, 2007.

On September 19, 2007, CBP published CBP Decision (Dec.) 07–77 in the **Federal Register** (72 FR 53414), which amended 19 CFR 12.104g(a) to reflect the extension and amendment of the import restrictions for Mali. The 2007 amendment added import restrictions on new subcategories of objects throughout Mali from the Paleolithic Era (Stone Age) to approximately the mid-eighteenth century in the amended Designated List for an additional period of five years until September 19, 2012.

On September 19, 2012, CBP published CBP Dec. 12–14 in the **Federal Register** (77 FR 58020), which amended 19 CFR 12.104g(a) to reflect the extension of the import restrictions for an additional period of five years until September 19, 2017.

On March 14, 2017, by publication in the **Federal Register** (82 FR 13706), the United States Department of State proposed to extend the Agreement between the United States and Mali concerning the imposition of import restrictions on archaeological material from Mali from the Paleolithic Era (Stone Age) to approximately the mid-eighteenth century. Pursuant to the statutory and decision-making process, the Designated List of materials covered by the restrictions is being amended to include certain ethnological materials, specifically manuscripts dating between the twelfth and twentieth centuries in paper. Thus, the Agreement now covers both the previously covered archaeological materials, as set forth in the Designated List published in CBP Dec. 07–77, and the additional ethnological materials (*see* 19 U.S.C. 2604, authorizing the Secretary of the Treasury, by regulation, to promulgate and, when appropriate, revise the list of designated archaeological and/or ethnological materials covered by an agreement between State Parties to the Convention).

On August 7, 2017, the Acting Under Secretary for Public Diplomacy and Public Affairs, United States Department of State, determined that the cultural heritage of Mali continues to be in jeopardy from pillage of certain archaeological materials and is also in jeopardy from the pillage of certain ethnological materials. The Acting Under Secretary made the necessary determination to extend the import restrictions for an additional five-year period to September 19, 2022, and to include in their coverage ethnological materials, specifically manuscripts dating between the twelfth and twentieth centuries in paper. An international agreement has been concluded reflecting the extension of the Agreement and, pursuant to the Agreement, the import restrictions are being extended, as described in this document and as applicable to the revised Designated List set forth in this document. Thus, CBP is amending 19 CFR 12.104g(a) accordingly. Importation of covered materials from Mali will be restricted through September 19, 2022. Importation of such materials from Mali continues to be restricted through that date unless the conditions set forth in 19 U.S.C. 2606 and 19 CFR 12.104c are met.

In this document, the Designated List of articles that was published in CBP Dec. 07–77 is amended to include ethnological materials comprised of manuscripts dating between the twelfth and twentieth centuries in paper. The articles described in the Designated List set forth below are protected pursuant to the Agreement.

Amended Designated List

This Designated List, amended as set forth in this document, includes archaeological material that originates in Mali, ranging in date from the Paleolithic Era (Stone Age) to approximately the mid-eighteenth century A.D. These materials include, but are not limited to, objects of ceramic, leather, metal, stone, glass, textiles, and wood. The Designated List also includes a certain category of ethnological material, namely manuscripts dating between the twelfth and twentieth centuries in paper. The Designated List and more information on the import restrictions can be obtained from the Mali country section of the International Cultural Property Protection Web site at *http://exchanges.state.gov/heritage/culprop/mlfact.html.*

The list set forth below is representative only. Any dimensions are approximate.

Archaeological Material (Dating From the Paleolithic Era (Stone Age) to Approximately the Mid-Eighteenth Century)

I. Ceramics/Terra Cotta/Fired Clay

Types of ceramic forms (stylistically known as Djenné-Djeno or Jenne, Bankoni, Guimbala, Banamba, Bougouni, Bura and other stylistic labels) that are known to come from the region include, but are not limited to:

A. Figures/Statues.

1. Anthropomorphic figures, often incised, impressed and with added motifs, such as scarification marks and serpentine patterns on their bodies, often depicting horsemen or individuals sitting, squatting, kneeling, embracing, or in a position of repose, arms elongated the length of the body or crossed over the chest, with the head tipped backwards. (H: 2 to 20 in.)
2. Zoomorphic figures, often depicting a snake motif on statuettes or on the belly of globular vases. Sometimes the serpent is coiled in an independent form. A horse motif is common, but is usually mounted.

Includes quadrupeds. (H: 2 to 16 in.)

B. Common Vessels.

1. Funerary jars, ocher in color, often stamped with chevrons. (H: 20 to 32 in.)
2. Globular vases often stamped with chevrons and serpentine forms. (H: under 4 in.)
3. Bottles with a long neck and a belly that is either globular or streamlined. Some have lids shaped like a bird's head.
4. Ritual pottery of the Tellem culture, decorated with a characteristic plaited roulette.
   a. Pot made on a convex mold built up by coiling.
   b. Hemispherical pots made on three or four legs or feet resting on a stand.
5. Kitchen pottery of the Tellem culture with the paddle-and-anvil technique decorated with impressions from woven mats.

II. Leather

Objects of leather found in Tellem funerary caves of the Bandiagara Escarpment include, but are not limited to:

A. Clothing.

1. Sandals often decorated and furnished with a leather ankle protection.
2. Boots profusely painted with geometric designs.
3. Plaited bracelets.
4. Knife-sheaths.
5. Loinskin.
6. Bag.

III. Metal

Objects of copper, bronze, iron, and gold from Mali include, but are not limited to:

A. Copper and Copper Alloy (Such as Bronze).

1. Figures/Statues.
   a. Anthropomorphic figures, including equestrian figures and kneeling figures. (Some are miniatures no taller than 2 inches; others range from 6 to 30 in.)
   b. Zoomorphic figures, such as the bull and the snake.
2. Bells (H: 4 to 5 in.) and finger bells (H: 2 to 3 in.).
3. Pendants, known to depict a bull's head or a snake. (H: 2 to 4 in.)
4. Bracelets, known to depict a snake (Diameter: 5 to 6 in.).
5. Bracelets, known to be shaped as a head and antelope (Diameter: 3 to 4 in.).
6. Finger rings.

B. Iron.

1. Figures/Statues.
   a. Anthropomorphic figures. (H: 5 to 30 in.)
   b. Zoomorphic figures, sometimes representing a serpent. (H: 5 to 30 in.)
2. Headrests of the Tellem culture.
3. Ring-bells or fingerbells of the Tellem culture.
4. Bracelets and armlets of the Tellem culture.
5. Hairpins, twisted and voluted, of the Tellem culture.

IV. Stone

Objects of stone from Mali include, but are not limited to:

A. Beads in carnelian (faceted) and other types of stone.
B. Quartz lip plugs.
C. Funerary stelae (headstones) inscribed in Arabic.
D. Chipped stone lithics from the Paleolithic and later eras including axes, knives, scrapers, arrowheads, and cores.
E. Ground Stone from the Neolithic and later eras including axes, adzes, pestles, grinders, and bracelets.

V. Glass Beads

A variety of glass beads have been recovered at archaeological sites in Mali.

VI. Textiles

Textile objects, or fragments thereof, have been recovered in the Tellem funerary caves of the Bandiagara Escarpment and include, but are not limited to:

A. Cotton.

1. Tunics.
2. Coifs.
3. Blankets.

B. Vegetable Fiber.

Skirts, aprons and belts made of twisted and intricately plaited vegetable fiber.

C. Wool.

Blankets.

VII. Wood

Objects of wood may be found archaeologically (in funerary caves of the Tellem or Dogon peoples in the Bandiagara Escarpment, for example). Following are representative examples of wood objects usually found archaeologically:

A. Figures/Statues.

1. Anthropomorphic figures—usually with abstract body and arms raised standing on a platform, sometimes kneeling. (H: 10 to 24 in.)
2. Zoomorphic figures—depicting horses and other animals. (H: 10 to 24 in.)

B. Headrests.

C. Household Utensils.

1. Bowls.
2. Spoons—carved and decorated.

D. Agricultural/Hunting Implements.

1. Hoes and axes—with either a socketed or tanged shafting without iron blades.
2. Bows—with a notch and a hole at one end and a hole at the other with twisted, untanned leather straps for the ''string''.
3. Arrows, quivers.
4. Knife sheaths.

E. Musical Instruments.

1. Flutes with end blown, bi-toned.
2. Harps.
3. Drums.

Ethnological Material

VIII. Manuscripts

Manuscripts and portions thereof from the Mali Empire, Songhai Empire, pre-Colonial, and French Colonial periods of Mali (twelfth to early twentieth centuries), including but not limited to Qur'ans and other religious texts, letters, treatises, doctrines, essays or other such papers spanning the subjects of astronomy, law, Islam, philosophy, mathematics, governance, medicine, slavery, commerce, poetry, and literature, either as single leaves or bound as a book (or ''codex''), and written in Arabic using the Kufic, Hijazi, Maghribi, Saharan, Sudani, Suqi, Nashk, or Ajami scripts written on paper.

Inapplicability of Notice and Delayed Effective Date

This amendment involves a foreign affairs function of the United States and is, therefore, being made without notice or public procedure under 5 U.S.C. 553(a)(1). In addition, CBP has determined that such notice or public procedure would be impracticable and contrary to the public interest because the action being taken is essential to avoid interruption of the application of the existing import restrictions (5 U.S.C. 553(b)(B)). For the same reason, a delayed effective date is not required under 5 U.S.C. 553(d)(3).

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Executive Orders 12866 and 13771

This rule is not a significant regulatory action for purposes of Executive Order 12866 or Executive Order 13771.

Signing Authority

This regulation is being issued in accordance with 19 CFR 0.1(a)(1).

List of Subjects in 19 CFR Part 12

Cultural property, Customs duties and inspection, Imports, Prohibited merchandise.

Amendment to CBP Regulations

For the reasons set forth above, part 12 of Title 19 of the Code of Federal Regulations (19 CFR part 12), is amended as set forth below.

PART 12—SPECIAL CLASSES OF MERCHANDISE

■ 1. The general authority citation for part 12 and the specific authority citation for § 12.104g continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

* * * * *

Sections 12.104 through 12.104i also issued under 19 U.S.C. 2612;

* * * * *

§ 12.104(g) [Amended]

■ 2. In § 12.104g, paragraph (a), the table is amended in the entry for ''Mali'' by:

■ a. In the column headed ''Cultural Property,'' after the word ''century'' add the following words: '', and ethnological materials dating between the twelfth and twentieth centuries'', and

■ b. In the column headed ''Decision No.,'' by removing ''12–14'' and replacing it with ''17–12''.

Dated: September 15, 2017.

Ronald D. Vitiello,

Acting Deputy Commissioner, U.S. Customs and Border Protection.

Approved:

Timothy E. Skud,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 2017–20056 Filed 9–15–17; 4:15 pm]

BILLING CODE 9111–14–P

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 102

RIN 3142–AA10

Procedural Rules and Regulations

AGENCY: National Labor Relations Board.

ACTION: Final rule.

SUMMARY: The National Labor Relations Board amends its procedural rules and regulations to include testimony transmitted by videoconference, and amicus brief filings.

DATES: This rule is effective on September 29, 2017.

FOR FURTHER INFORMATION CONTACT: Gary Shinners, Executive Secretary, National Labor Relations Board, 1015 Half Street SE., Washington, DC 20570, (202) 273–3737 (this is not a toll-free number), 1–866–315–6572 (TTY/TDD).

SUPPLEMENTARY INFORMATION:

Background on the Rulemaking

The changes are summarized below:

I. Video Conferencing Testimony

The Board added language covering procedures applicable to deposition testimony contemporaneously transmitted by videoconference. The procedures cover the filing of applications to take depositions by videoconference, the safeguards required for the taking of videoconference testimony, the timing, method, and bases for filing objections to the admissibility of videoconference testimony, transcription of videoconference testimony, and the payment of witness and court reporter fees associated with the taking of videoconference testimony.

II. Amicus Curiae Brief Filings

The Board added language setting forth the procedures covering procedures applicable to amicus curiae briefs. The procedures cover the circumstances when motions for permission to file an amicus brief may be filed, the contents of such motions, replies to motions, page length of amicus briefs, parties' answering briefs to amicus briefs, and the solicitation of amicus briefs by the Board.

Regulatory Flexibility Act Certification

Pursuant to Section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the Agency has determined that these rule amendments will not have a significant impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

These rule amendments 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. Therefore, no actions are deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This action is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804. These amendments will not result in an annual effect on the economy of $100,000,000 or more or a major increase in costs or prices, nor will these amendments have 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

The amended regulations contain no additional information-collection or record-keeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501, *et seq.*

Public Participation

This rule is published as a final rule. The National Labor Relations Board considers this rule to be a procedural rule which is exempt from notice and public comment, pursuant to 5 U.S.C. 553(b)(3)(A), as a rule of ''agency organization, procedure, or practice.'' If you wish to contact the Agency, please do so at the above listed address. However, 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.

List of Subjects in 29 CFR Part 102

Administrative practice and procedure, Labor management relations.

Gary Shinners,

Executive Secretary.

For the reasons stated in the preamble, the National Labor Relations Board amends 29 CFR part 102 as follows:

PART 102—RULES AND REGULATIONS, SERIES 8

■ 1. The authority citation for part 102 continues to read as follows:

Authority: Sections 1, 6, National Labor Relations Act (29 U.S.C. 151, 156). Section 102.117 also issued under section 552(a)(4)(A) of the Freedom of Information Act, as amended (5 U.S.C. 552(a)(4)(A)), and Section 102.117a also issued under section 552a(j) and (k) of the Privacy Act of 1974 (5 U.S.C. 552a(j) and (k)). Sections 102.143 through 102.155 also issued under section 504(c)(1) of the Equal Access to Justice Act, as amended (5 U.S.C. 504(c)(1)).

■ 2. Amend § 102.30 by revising paragraphs (a) and (c) through (e) and adding paragraph (g) to read as follows:

§ 102.30 Depositions, examination of witnesses.

* * * * *

(a) Applications to take depositions, including deposition testimony contemporaneously transmitted by videoconference, must be in writing and set forth the reasons why the depositions may be taken, the name, mailing address and email address (if available) of the witness, the matters concerning which it is expected the witness will testify, and the time and place proposed for taking the deposition, together with the name and mailing and email addresses of the person before whom it is desired that the deposition be taken (for the purposes of this section hereinafter referred to as the ''officer''). Such application must be made to the Regional Director prior to the hearing, and to the Administrative Law Judge during and subsequent to the hearing but before transfer of the case to the Board pursuant to § 102.45 or § 102.50. Such application must be served on the Regional Director or the Administrative Law Judge, as the case may be, and on all other parties, not less than 7 days (when the deposition is to be taken within the continental United States) and 15 days (if the deposition is to be taken elsewhere) prior to the time when it is desired that the deposition be taken. The Regional Director or the Administrative Law Judge, as the case may be, will upon receipt of the application, if in the Regional Director's or Administrative Law Judge's discretion, good cause has been shown, make and serve on the parties an order specifying the name of the witness whose deposition is to be taken and the time, place, and designation of the officer before whom the witness is to testify, who may or may not be the same officer as that specified in the application. Such order will be served on all the other parties by the Regional Director or on all parties by the Administrative Law Judge.

* * * * *

(c) At the time and place specified in the order, the officer designated to take the deposition will permit the witness to be examined and cross-examined under oath by all the parties appearing in person or by contemporaneous transmission through videoconference, and testimony shall be transcribed by the officer or under the officer's direction. All objections to questions or evidence will be deemed waived unless made at the examination. The officer will not have power to rule upon any objections but the objections will be noted in the deposition. The testimony must be subscribed by the witness to the satisfaction of the officer who will attach a certificate stating that the witness was duly sworn by the officer, that the deposition is a true record of the testimony and exhibits given by the witness, and that the officer is not of counsel or attorney to any of the parties nor interested in the event of the proceeding or investigation. If the deposition is not signed by the witness because the witness is ill, dead, cannot be found, or refuses to sign it, such fact will be included in the certificate of the officer and the deposition may then be used as fully as though signed. The officer will immediately deliver the transcript, together with the certificate, in person, by registered or certified mail, or by E-File to the Regional Director or Division of Judges' office handling the matter.

(d) The Administrative Law Judge will rule upon the admissibility of the deposition or any part of the deposition. A party may object to the admissibility of deposition testimony by videoconference on grounds that the taking of the deposition did not comply with appropriate safeguards as set forth in § 102.35(c), provided that the party opposing the admission of the deposition raised deficiencies in safeguards at the time of the deposition when corrections might have been made.

(e) All errors or irregularities in compliance with the provisions of this section will be deemed waived unless a motion to suppress the deposition in whole or part is made with reasonable promptness after such defect is or, with due diligence, might have been ascertained.

* * * * *

(g) The official record of the deposition testimony will be the official transcript prepared by the officer designated to transcribe the deposition testimony.

■ 3. Revise § 102.32 to read as follows:

§ 102.32 Payment of witness fees and mileage; fees of officer who transcribes deposition or video testimony.

Witnesses summoned before the Administrative Law Judge must be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken or who testify by videoconference and the officer who transcribes the testimony shall severally be entitled to the same fees as are paid for like services in the courts of the United States, and those fees shall be paid by the party at whose instance the deposition is taken.

■ 4. Amend § 102.35 by adding paragraph (c) to read as follows:

§ 102.35 Duties and powers of Administrative Law Judges; stipulations of cases to Administrative Law Judges or to the Board; assignment and powers of settlement judges; video testimony.

* * * * *

(c) Upon a showing of good cause based on compelling circumstances, and under appropriate safeguards, the taking of video testimony by contemporaneous transmission from a different location may be permitted.

(1) Applications to obtain testimony by videoconference must be presented to the Administrative Law Judge in writing, and the requesting party must simultaneously serve notice of the application upon all parties to the hearing. The application must set forth the compelling circumstances for such testimony, the witness's name and address, the location where the video testimony will be held, the matter concerning which the witness is expected to testify, the conditions in place to protect the integrity of the testimony, the transmission safeguards, and the electronic address from which the video testimony will be transmitted. Such application and any opposition must be made promptly and within such time as not to delay the proceeding.

(2) Appropriate safeguards must ensure that the Administrative Law Judge has the ability to assess the witness's credibility and that the parties have a meaningful opportunity to examine and cross-examine the witness, and must include at a minimum measures that ensure that representatives of the parties have the opportunity to be present at the remote location, the judge, participants, and the reporter are able to hear the testimony and observe the witness, the camera view is adjustable to provide a close-up view of counsel and the witness and a panoramic view of the room, exhibits used in the witness's examination are exchanged in advance of the examination, and video technology assistance is available to assist with technical difficulties that arise during the examination. The Administrative Law Judge may also impose additional safeguards.

(3) The official record of the videoconference testimony will be the official transcript prepared by the officer designated to transcribe the testimony.

■ 5. Amend § 102.46 by revising the section heading and adding paragraph (i) to read as follows:

§ 102.46 Exceptions and brief in support; answering briefs to exceptions; cross-exceptions and brief in support; answering briefs to cross-exceptions; reply briefs; failure to except; oral argument; filing requirements; amicus curiae briefs.

* * * * *

(i) *Amicus curiae briefs.* Amicus curiae briefs will be accepted only by permission of the Board. Motions for permission to file an amicus brief must state the bases of the movant's interest in the case and why the brief will be of benefit to the Board in deciding the matters at issue. Unless the Board directs otherwise, the following procedures will apply.

(1) The Board will consider motions to file an amicus brief only when: (a) A party files exceptions to an Administrative Law Judge's decision; or (b) a case is remanded by the court of appeals and the Board requests briefing from the parties.

(2) In circumstances where a party files exceptions to an Administrative Law Judge's decision, the motion must be filed with the Office of the Executive Secretary of the Board no later than 42 days after the filing of exceptions, or in the event cross-exceptions are filed, no later than 42 days after the filing of cross-exceptions. Where a case has been remanded by the court of appeals, the motion must be filed no later than 21 days after the parties file statements of position on remand. A motion filed outside these time periods must be supported by a showing of good cause. The motion will not operate to stay the issuance of a Board decision upon completion of the briefing schedule for the parties.

(3) The motion must be accompanied by the proposed amicus brief and must comply with the service and form prescribed by § 102.5. The brief may be no more than 25 pages in length.

(4) A party may file a reply to the motion within 7 days of service of the motion. A party may file an answering brief to the amicus brief within 14 days of issuance of the Board's order granting permission to file the amicus brief. Replies to an answering brief will not be permitted.

(5) The Board may direct the Executive Secretary to solicit amicus briefs. In such cases, the Executive Secretary will specify in the invitation the due date and page length for solicited amicus briefs, and the deadline for the parties to file answering briefs. Absent compelling reasons, no extensions of time will be granted for filing solicited amicus briefs or answering briefs.

[FR Doc. 2017–19783 Filed 9–18–17; 8:45 am]

BILLING CODE 7545–01–P

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 102

RIN 3142–AA09

Procedural Rules and Regulations; Corrections

AGENCY: National Labor Relations Board.

ACTION: Final rule; correcting amendments.

SUMMARY: On March 6, 2017, the National Labor Relations Board revised its rules and regulations. Those revisions inadvertently failed to include certain language, which provided further clarification with respect to the prohibition on producing files and documents, and the prohibition on testifying. This document corrects that Section, as well as additional inadvertent errors that appear throughout the revised rules and regulations.

DATES: The correcting amendments are effective September 19, 2017, but are applicable beginning March 6, 2017.

FOR FURTHER INFORMATION CONTACT: Gary Shinners, Executive Secretary, National Labor Relations Board, 1015 Half Street SE., Washington, DC 20570, (202) 273–3737 (this is not a toll-free number), 1–866–315–6572 (TTY/TDD).

SUPPLEMENTARY INFORMATION: On March 6, 2017, the National Labor Relations Board revised its rules and regulations and inadvertently failed to include language in § 102.118. This is the first set of corrections to the NLRB revisions that were published in the **Federal Register** on February 24, 2017 (82 FR 11748).

List of Subjects in 29 CFR Part 102

Administrative practice and procedure, Labor management relations.

Accordingly, 29 CFR part 102 is corrected by making the following correcting amendments:

PART 102—RULES AND REGULATIONS, SERIES 8

■ 1. The authority citation for part 102 continues to read as follows:

Authority: Sections 1, 6, National Labor Relations Act (29 U.S.C. 151, 156). Section 102.117 also issued under section 552(a)(4)(A) of the Freedom of Information Act, as amended (5 U.S.C. 552(a)(4)(A)), and Section 102.117a also issued under section 552a(j) and (k) of the Privacy Act of 1974 (5 U.S.C. 552a(j) and (k)). Sections 102.143 through 102.155 also issued under section 504(c)(1) of the Equal Access to Justice Act, as amended (5 U.S.C. 504(c)(1)).

■ 2. Amend § 102.21 by revising the second sentence to read as follows:

§ 102.21 Where to file; service upon the parties; form.

* * * Immediately upon the filing of the answer, Respondent shall serve a copy thereof on the other parties. * * *

■ 3. Amend § 102.30 by revising the first sentence of paragraph (c) to read as follows:

§ 102.30 Depositions, examination of witnesses.

* * * * *

(c) At the time and place specified in the order, the officer designated to take the deposition will permit the witness to be examined and cross-examined under oath by all the parties appearing, and the witness's testimony will be reduced to type-writing by the officer or under his/her direction. * * *

* * * * *

■ 4. Amend § 102.65 by revising the second and eighth sentences of paragraph (a) to read as follows:

§ 102.65 Motions; intervention; appeals of Hearing Officer's rulings.

(a) * * * The Motion shall immediately be served on the other parties to the proceeding.* * * The Regional Director may rule upon all motions filed with him/her, causing a copy of the ruling to be served on the parties, or may refer the motion to the Hearing Officer, except that if the Regional Director prior to the close of the hearing grants a motion to dismiss the petition, the petitioner may obtain a review of such ruling in the manner prescribed in § 102.71.* * *

* * * * *

■ 5. Amend § 102.66 by revising paragraph (f) to read as follows:

§ 102.66 Introduction of evidence: rights of parties at hearing; preclusion; subpoenas; oral argument and briefs.

* * * * *

(f) *Subpoenas.* The Board, or any Member thereof, shall, on the written application of any party, forthwith issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence, including books, records, correspondence, or documents, in their possession or under their control. The Executive Secretary shall have the authority to sign and issue any such subpoenas on behalf of the Board or any Member thereof. Any party may file applications for subpoenas in writing with the Regional Director if made prior to hearing, or with the Hearing Officer if made at the hearing. Applications for subpoenas may be made ex parte. The Regional

Director or the Hearing Officer, as the case may be, shall forthwith grant the subpoenas requested. Any person served with a subpoena, whether ad testificandum or duces tecum, if he or she does not intend to comply with the subpoena, shall, within 5 days after the date of service of the subpoena, petition in writing to revoke the subpoena. The date of service for purposes of computing the time for filing a petition to revoke shall be the date the subpoena is received. Such petition shall be filed with the Regional Director who may either rule upon it or refer it for ruling to the Hearing Officer except that if the evidence called for is to be produced at a hearing and the hearing has opened, the petition to revoke shall be filed with the Hearing Officer. Notice of the filing of petitions to revoke shall be promptly given by the Regional Director or Hearing Officer, as the case may be, to the party at whose request the subpoena was issued. The Regional Director or the Hearing Officer, as the case may be, shall revoke the subpoena if, in his/her opinion, the evidence whose production is required does not relate to any matter under investigation or in question in the proceedings or the subpoena does not describe with sufficient particularity the evidence whose production is required, or if for any other reason sufficient in law the subpoena is otherwise invalid. The Regional Director or the Hearing Officer, as the case may be, shall make a simple statement of procedural or other grounds for his/her ruling. The petition to revoke, any answer filed thereto, and any ruling thereon shall not become part of the record except upon the request of the party aggrieved by the ruling. Persons compelled to submit data or evidence are entitled to retain or, on payment of lawfully prescribed costs, to procure copies or transcripts of the data or evidence submitted by them.

* * * * *

■ 6. Amend § 102.67 by revising the first sentence of paragraph (c) and the first sentence of paragraph (i)(1) to read as follows:

§ 102.67 Proceedings before the regional director; further hearing; action by the regional director; appeals from actions of the regional director; statement in opposition; requests for extraordinary relief; Notice of Election; voter list.

* * * * *

(c) Upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a Regional Director delegated to him/her under Section 3(b) of the Act except as the Board's Rules provide otherwise, but such a review shall not, unless specifically ordered by the Board, operate as a stay of any action by the Regional Director. * * *

* * * * *

(i)(1) * * * All documents filed with the Board under the provisions of this Section shall be double spaced, on 8½-by 11-inch paper, and shall be printed or otherwise legibly duplicated. * * *

* * * * *

■ 7. Amend § 102.69 by revising paragraphs (a) and (d)(1)(ii) to read as follows:

§ 102.69 Election procedure; tally of ballots; objections; certification by the regional director; hearings; hearing officer reports on objections and challenges; exceptions to hearing officer reports; regional director decisions on objections and challenges.

(a) *Election procedure; tally; objections.* Unless otherwise directed by the Board, all elections shall be conducted under the supervision of the Regional Director in whose Region the proceeding is pending. All elections shall be by secret ballot. Whenever two or more labor organizations are included as choices in an election, either participant may, upon its prompt request to and approval thereof by the Regional Director, whose decision shall be final, have its name removed from the ballot, except that in a proceeding involving an employer-filed petition or a petition for decertification the labor organization certified, currently recognized, or found to be seeking recognition may not have its name removed from the ballot without giving timely notice in writing to all parties and the Regional Director, disclaiming any representation interest among the employees in the unit. A pre-election conference may be held at which the parties may check the list of voters and attempt to resolve any questions of eligibility or inclusions in the unit. When the election is conducted manually, any party may be represented by observers of its own selection, subject to such limitations as the Regional Director may prescribe. Any party and Board agents may challenge, for good cause, the eligibility of any person to participate in the election. The ballots of such challenged persons shall be impounded. Upon the conclusion of the election the ballots will be counted and a tally of ballots prepared and immediately made available to the parties. Within 7 days after the tally of ballots has been prepared, any party may file with the Regional Director objections to the conduct of the election or to conduct affecting the results of the election which shall contain a short statement of the reasons therefor and a written offer of proof in the form described in § 102.66(c) insofar as applicable, except that the Regional Director may extend the time for filing the written offer of proof in support of the election objections upon request of a party showing good cause. Such filing(s) must be timely whether or not the challenged ballots are sufficient in number to affect the results of the election. The party filing the objections shall serve a copy of the objections, including the short statement of reasons therefor, but not the written offer of proof, on each of the other parties to the case, and include a certificate of such service with the objections. A person filing objections by facsimile pursuant to § 102.114(f) shall also file an original for the Agency's records, but failure to do so shall not affect the validity of the filing if otherwise proper. In addition, extra copies need not be filed if the filing is by facsimile or electronically pursuant to § 102.114(f) or (i). The Regional Director will transmit a copy of the objections to be served on each of the other parties to the proceeding, but shall not transmit the offer of proof.

* * * * *

(d)(1)(i) *Record in case with hearing.* In a proceeding pursuant to this section in which a hearing is held, the record in the case shall consist of the Notice of Hearing, motions, rulings, orders, stenographic report of the hearing, stipulations, exhibits, together with the objections to the conduct of the election or to conduct affecting the results of the election, offers of proof made at the post-election hearing, any briefs or other legal memoranda submitted by the parties, any report on such objections and/or on challenged ballots, exceptions, the decision of the Regional Director, any requests for review, and the record previously made as defined in § 102.68. Materials other than those set out above shall not be a part of the record.

* * * * *

■ 8. Amend § 102.71 by revising the second sentence of paragraph (c) to read as follows:

§ 102.71 Dismissal of petitions; refusal to proceed with petition; requests for review by the Board of action of the regional director.

* * * * *

(c) * * * The request shall contain a complete statement setting forth facts and reasons upon which the request is based. * * *

* * * * *

■ 9. Amend § 102.72 by revising the section heading and paragraphs (a)

introductory text, (a)(1), and (c) to read as follows:

§ 102.72 Filing petition with general counsel: investigation upon motion of general counsel; transfer of petition and proceeding from region to general counsel or to another region; consolidation of proceedings in same region; severance; procedure before general counsel in cases over which the general counsel has assumed jurisdiction.

(a) Whenever it appears necessary in order to effectuate the purposes of the Act, or to avoid unnecessary costs or delay, the General Counsel may permit a petition to be filed with him/her in Washington, DC, or may, at any time after a petition has been filed with a Regional Director pursuant to § 102.60, order that such petition and any proceeding that may have been instituted with respect thereto:

(1) Be transferred to and continued before him/her, for the purpose of investigation or consolidation with any other proceeding which may have been instituted in a Regional Office or with him/her; or

* * * * *

(c) The Regional Director may exercise the powers in paragraphs (a)(2) and (4) of this section with respect to proceedings pending in his/her Region.

■ 10. Amend § 102.80 by revising paragraph (b) to read as follows:

§ 102.80 Dismissal of petition; refusal to process petition under expedited procedure.

* * * * *

(b) If it shall appear to the regional director that an expedited election is not warranted but that proceedings under subpart C of this part are warranted, he/she shall so notify the parties in writing with a simple statement of the grounds for his/her decision.

* * * * *

■ 11. Amend § 102.81 by revising the first sentence of paragraph (a) and the first sentence of paragraph (c) to read as follows:

§ 102.81 Review by the general counsel of refusal to proceed on charge; resumption of proceedings upon charge held during pendency of petition; review by general counsel of refusal to proceed on related charge.

(a) Where an election has been directed by the Regional Director or the Board in accordance with the provisions of §§ 102.77 and 102.78, the Regional Director shall decline to issue a complaint on the charge, and he/she shall so advise the parties in writing, accompanied by a simple statement of the procedural or other grounds for his/her action.* * *

* * * * *

(c) If in connection with an 8(b)(7) proceeding, unfair labor practice charges under other sections of the Act have been filed and the Regional Director upon investigation has declined to issue a complaint upon such charges, he/she shall so advise the parties in writing, accompanied by a simple statement of the procedural or other grounds for his/her action.* * *

■ 12. Amend § 102.83 by revising the second sentence to read as follows:

§ 102.83 Petition for referendum under Section 9(e)(1) of the Act; who may file; where to file; withdrawal.

* * * The petition shall be in writing and signed, and either must be sworn to before a notary public, Board agent, or other person duly authorized by law to administer oaths and take acknowledgments or must contain a declaration by the person signing it, under the penalties of the Criminal Code, that its contents are true and correct to the best of his/her knowledge and belief.* * *

■ 13. Amend § 102.118 by revising paragraphs (a) and (b) to read as follows:

§ 102.118 Present and former Board employees prohibited from producing documents and testifying; production of witnesses' statements after direct testimony.

(a) *Prohibition on producing files and documents.* Except as provided in § 102.117 respecting requests cognizable under the Freedom of Information Act, no present or former employee or specially designated agent of the Agency will produce or present any files, documents, reports, memoranda, or records of the Board or of the General Counsel, whether in response to a *subpoena duces tecum* or otherwise, without the written consent of the Board or the Chairman of the Board if the document is in Washington, DC, and in control of the Board; or of the General Counsel if the document is in a Regional Office of the Board or is in Washington, DC, and in the control of the General Counsel. A request that such consent be granted must be in writing and must identify the documents to be produced, the nature of the pending proceeding, and the purpose to be served by the production of the documents.

(b) *Prohibition on testifying.* No present or former employee or specially designated agent of the Agency will testify on behalf of any party to any cause pending in any court or before the Board, or any other board, commission, or other administrative agency of the United States, or of any State, territory, or the District of Columbia, or any subdivisions thereof, with respect to any information, facts, or other matter coming to that person's knowledge in that person's official capacity or with respect to the contents of any files, documents, reports, memoranda, or records of the Board or of the General Counsel, whether in answer to a subpoena or otherwise, without the written consent of the Board or the Chairman of the Board if the person is in Washington, DC, and subject to the supervision or control of the Board or was subject to such supervision or control when formerly employed at the Agency; or of the General Counsel if the person is in a Regional Office of the Agency or is in Washington, DC, and subject to the supervision or control of the General Counsel or was subject to such supervision or control when formerly employed at the Agency. A request that such consent be granted must be in writing and must identify the person whose testimony is desired, the nature of the pending proceeding, and the purpose to be served by the testimony of the official.

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National Labor Relations Board.

Gary Shinners,

Executive Secretary.

[FR Doc. 2017–19781 Filed 9–18–17; 8:45 am]

BILLING CODE 7545–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2016–0110; FRL–9967–88–Region 1]

Air Plan Approval; Maine; Regional Haze 5-Year Progress Report

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of Maine on February 23, 2016. Maine's SIP revision addresses requirements of the Clean Air Act (CAA) and EPA's rules that require States to submit periodic reports describing progress toward reasonable progress goals (RPGs) established for regional haze and a determination of the adequacy of the State's existing regional haze SIP. Maine's progress report notes that Maine has implemented the measures in the regional haze SIP due to be in place by the date of the progress

report and that visibility in federal Class I areas affected by emissions from Maine is improving and has already met the applicable RPGs for 2018. Maine also determined that the State's regional haze SIP is adequate to meet these reasonable progress goals for the first implementation period covering through 2018 and requires no substantive revision at this time.

DATES: This rule is effective on October 19, 2017.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2016–0110. All documents in the docket are listed on the *http://www.regulations.gov* Web site. 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, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available at *http://www.regulations.gov* or at the U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Quality Planning Unit, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Anne McWilliams, Air Quality Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail Code OEP05–02), Boston, MA 02109–3912, telephone number (617) 918–1697, fax number (617) 918–0697, email *mcwilliams.anne@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

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I. Background

States are required to submit a progress report in the form of a SIP revision every five years that evaluates progress towards the RPGs for each mandatory Class I Federal area within the state and in each mandatory Class I Federal area outside the state which may be affected by emissions from within the state. *See* 40 CFR 51.308(g). In addition, the provisions under 40 CFR 51.308(h) require States to submit, at the same time as the 40 CFR 51.308(g) progress report, a determination of the adequacy of the state's existing regional haze SIP. The first progress report SIP is due five years after submittal of the initial regional haze SIP.

On July 20, 2017 (82 FR 33471), EPA published a notice of proposed rulemaking (NPR) proposing approval of Maine's February 23, 2016 Regional Haze 5-Year Progress Report SIP revision on the basis that it satisfies the requirements of 40 CFR 51.308(g) and (h).

The specific details of Maine's February 23, 2016 SIP revision and the rationale for EPA's approval are discussed in the NPR and will not be restated here. EPA received one comment agreeing with EPA's assessment of Maine's February 23, 2016 Regional Haze 5-Year Progress Report.

II. Final Action

EPA is approving Maine's February 23, 2016 Regional Haze 5-Year Progress Report SIP submittal as meeting the requirements of 40 CFR 51.308(g) and (h).

III. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of New Hampshire's regulation described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents generally available through *http://www.regulations.gov.*

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, 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 Clean Air Act. 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- 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 Clean Air Act; 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, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 20, 2017. 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. 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, Regional haze, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 7, 2017.

Deborah A. Szaro,

Acting Regional Administrator, EPA New England.

Part 52 of 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 U—Maine

■ 2. In § 52.1020, the table in paragraph (e) is amended by adding the entry ''Regional Haze 5-Year Progress Report'' at the end of the table to read as follows:

§ 52.1020 Identification of plan.

* * * * *

(e) * * *

MAINE NON REGULATORY

Name of non regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approved date [3]	Explanations
* *	*	*	*	* *
Regional Haze 5-Year Progress Report.	Statewide	2/23/2016	9/19/2017, [insert **Federal Register** citation].	Progress report for the first regional haze planning period ending in 2018.

[3] In order to determine the EPA effective date for a specific provision listed in this table, consult the **Federal Register** notice cited in this column for the particular provision.

[FR Doc. 2017–19817 Filed 9–18–17; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 223 and 224

[Docket No. 160614520–7805–02]

RIN 0648–XE686

Endangered and Threatened Wildlife and Plants: Final Rule To List the Maui Dolphin as Endangered and the South Island Hector's Dolphin as Threatened Under the Endangered Species Act

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

ACTION: Final rule.

SUMMARY: We, NMFS, issue a final rule to list the Maui dolphin (*Cephalorhynchus hectori maui*) as endangered and the South Island (SI) Hector's dolphin (*C. hectori hectori*) as threatened under the Endangered Species Act (ESA). We considered comments submitted on the proposed listing rule and have determined that the Maui dolphin and the SI Hector's dolphin warrant listing as endangered and threatened species, respectively. We will not designate critical habitat for either of these dolphin subspecies, because the geographical areas occupied by these dolphins are entirely outside U.S. jurisdiction, and we have not identified any unoccupied areas within U.S. jurisdiction that are currently essential to the conservation of either of these subspecies.

DATES: This final rule is effective October 19, 2017.

ADDRESSES: Endangered Species Division, NMFS Office of Protected Resources (F/PR3), 1315 East West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Lisa Manning, NMFS, Office of Protected Resources, *lisa.manning@noaa.gov,* (301) 427–8466.

SUPPLEMENTARY INFORMATION:

Background

On July 15, 2013, we received a petition from WildEarth Guardians to list 81 marine species or populations as endangered or threatened species under the ESA. We determined that the petition had sufficient merit for further consideration, and status reviews were initiated for 27 of the 81 species or populations, including the Hector's dolphin (*Cephalorhynchus hectori;* 78 FR 63941, October 25, 2013; 78 FR 66675, November 6, 2013; 78 FR 69376, November 19, 2013; 79 FR 9880, February 21, 2014; and 79 FR 10104, February 24, 2014). On September 19, 2016, we published a proposed rule to list the Maui dolphin (*Cephalorhynchus hectori maui*) as endangered and the SI Hector's dolphin (*C. hectori hectori*) as threatened (81 FR 64110). We requested

public comments on the information in the proposed rule and the associated status review during a 60-day public comment period, which closed on November 18, 2016. This final rule provides a discussion of the public comments received in response to the proposed rule and our final determinations on the petition to list the Maui dolphin and the SI Hector's dolphin under the ESA. The findings and relevant **Federal Register** notices for the other species and populations addressed in the petition can be found on our Web site at *www.nmfs.noaa.gov/pr/species/petition81.htm.*

Listing Determinations Under the ESA

We are responsible for determining whether species meet the definition of threatened or endangered under the ESA (16 U.S.C. 1531 *et seq.*). To make this determination, we first consider whether a group of organisms constitutes a ''species'' under the ESA, then whether the status of the species qualifies it for listing as either threatened or endangered. Section 3 of the ESA defines a ''species'' to include any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature. The Maui dolphin, *C. hectori maui,* and the SI Hector's dolphin, *C. hectori hectori,* are formally recognized subspecies (Baker *et al.,* 2002, Pichler 2002) and thus meet the ESA definition of a ''species.''

Section 3 of the ESA defines an endangered species as ''any species which is in danger of extinction throughout all or a significant portion of its range'' and a threatened species as one ''which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.'' We interpret an ''endangered species'' to be one that is presently in danger of extinction. A ''threatened species,'' on the other hand, is not presently in danger of extinction, but is likely to become so in the foreseeable future (that is, at a later time). In other words, the primary statutory difference between a threatened species and endangered species is the timing of when a species may be in danger of extinction, either presently (endangered) or in the foreseeable future (threatened).

When we consider whether a species might qualify as threatened under the ESA, we must consider the meaning of the term ''foreseeable future.'' It is appropriate to interpret ''foreseeable future'' as the horizon over which predictions about the conservation status of the species can be reasonably relied upon. The foreseeable future considers the life history of the species, habitat characteristics, availability of data, particular threats, ability to predict threats, and the reliability to forecast the effects of these threats and future events on the status of the species under consideration. Because a species may be susceptible to a variety of threats for which different data are available regarding the species' response to that threat, or which operate across different time scales, the foreseeable future is not necessarily reducible to a particular number of years.

Section 4(a)(1) of the ESA requires us to determine whether any species is endangered or threatened due to any one or a combination of the following five threat factors: The present or threatened destruction, modification, or curtailment of its habitat or range; overutilization for commercial, recreational, scientific, or educational purposes; disease or predation; the inadequacy of existing regulatory mechanisms; or other natural or manmade factors affecting its continued existence. We are also required to make listing determinations based solely on the best scientific and commercial data available, after conducting a review of the species' status and after taking into account efforts being made by any state or foreign nation to protect the species.

In assessing the extinction risk of these two subspecies, we considered demographic risk factors, such as those developed by McElhany *et al.* (2000), to organize and evaluate the forms of risks. The approach of considering demographic risk factors to help frame the consideration of extinction risk has been used in many of our previous status reviews (see *http://www.nmfs.noaa.gov/pr/species* for links to these reviews). In this approach, the collective condition of individual populations is considered at the species level (or in this case, the subspecies level) according to four demographic viability factors: abundance and trends, population growth rate or productivity, spatial structure and connectivity, and genetic diversity. These viability factors reflect concepts that are well-founded in conservation biology and that individually and collectively provide strong indicators of extinction risk.

Scientific conclusions about the overall risk of extinction faced by the Maui dolphin and the SI Hector's dolphin under present conditions and in the foreseeable future are based on our evaluation of the subspecies' demographic risks and section 4(a)(1) threat factors. Our assessment of overall extinction risk considered the likelihood and contribution of each particular factor, synergies among contributing factors, and the cumulative impact of all demographic risks and threats on each subspecies.

Section 4(b)(1)(A) of the ESA requires the Secretary, when making a listing determination for a species, to take into consideration those efforts, if any, being made by any State or foreign nation, or any political subdivision of a State or foreign nation, to protect the species. Therefore, prior to making a listing determination, we also assess such protective efforts to determine if they are adequate to mitigate the existing threats.

Summary of Comments

In response to our request for comments on the proposed rule, we received 75 comments. The comments were submitted by multiple organizations and individual members of the public from a minimum of seven countries (Australia, Bahamas, Canada, England, Ireland, New Zealand, and the United States). All of the comments were supportive of the proposed endangered listing for the Maui dolphin. Several commenters suggested listing the SI Hector's dolphin as endangered, and one comment was opposed to the proposed threatened listing for the SI Hector's dolphin. Summaries of comments received regarding the proposed rule and our responses are provided below.

Comment 1: A large majority of the comments were general statements expressing support for listing Maui dolphins as endangered and SI Hector's dolphins as threatened under the ESA. Most of these comments were not accompanied by information or references. Some of the comments were accompanied by information that is consistent with, or cited directly from, our proposed rule or draft status review report. Several of the comments included pointed statements regarding the inadequacy of current management efforts to reduce bycatch of Hector's dolphins. Several other comments were associated with a ''Let's Face It'' campaign to protect Maui dolphins, and in one case, a commenter provided a link to an online, visual petition from ''Let's Face it'' consisting of photos of the over 9,400 people who participated in the campaign. The Marine Mammal Commission in particular concurred with our proposed endangered listing of Maui dolphins, and recommended we proceed with a final rule listing them as such under the ESA.

Response: We acknowledge all of these comments and the considerable public interest expressed in support of

the conservation of the SI Hector's and Maui dolphins.

Comment 2: Two scientists from the University of Otago, New Zealand, submitted an unpublished report (referred to here as Slooten and Dawson 2016) presenting population viability analyses (PVAs), estimates of Potential Biological Removal (PBR), and projected population trends for Maui and SI Hector's dolphins. The report updates previously published analyses (*e.g.,* Slooten 2007a; Slooten and Dawson 2010) by incorporating the recent abundance estimates reported by Baker *et al.* (2016) for Maui dolphins and by Mackenzie and Clement (2014, 2016) for SI Hector's dolphins. These updated analyses were conducted to explore how the new abundance estimates affect previous conclusions about risk and population viability. The report also reviews the available data on fishery-observer coverage and available bycatch data by location, year, and gear type (gillnet, trawl, or craypot). The report discusses several limitations of the available bycatch data and asserts the data provide an under-estimate of the actual level of bycatch mortality.

The commenters' updated PBR (using a recovery factor of 0.1) for Maui dolphins ranges from 0.05 to 0.12, depending on the assumed per capita growth rate (Rmax). Their estimated rate of population decline is 2 percent per year, with a 95 percent confidence interval (CI) that ranges from a 1.6 percent decline to a 4.8 percent increase per year, which the commenters note indicates a high level of uncertainty regarding the population trend. The commenters present a Bayesian linear regression analysis that indicates there is a 68 percent probability that the Maui dolphin population is continuing to decline, and their power analysis indicates that the ability (statistical power) to detect population trends in continued population surveys for Maui dolphins is very low.

The updated PBR estimate provided by the commenters for the SI Hector's dolphin ranges from 3 to 24 dolphins per year, depending on the value of Rmax and the offshore range of the dolphins applied. Results of the updated PVA suggest that the abundance of SI Hector's dolphins has declined by 70 percent over the last three generations (39 years), and that the subspecies will continue to decline to 8,283 dolphins (95 percent CI: 4,925–13,931) by the year 2050. The commenters conclude that the new, higher abundance estimate for the SI Hector's dolphins is more than offset by the increased degree of overlap between fishing activities and the more extensive offshore distribution of dolphins on the east coast of the South Island.

Response: We thoroughly reviewed and considered the analyses and information presented in this report.

In response to the information provided in this comment, we updated our status review report (Manning and Grantz 2017) to include the recent abundance estimate for Maui dolphins from Baker *et al.* (2016), who reported an abundance estimate of 63 dolphins 1 year of age and older (95 percent CI: 57–75). This new abundance estimate is based on a long-term genetic mark-recapture study and is within the 95 percent CI of the previous estimate resulting from this work (*i.e.,* 55 dolphins 1 year of age and older (95 percent CI: 48–69), Hamner *et al.,* 2014b). Estimates of the rate of population decline provided by the commenters are consistent with those provided recently by Baker *et al.* (2016): Both sources indicate an annual rate of decline of about 2 percent with a high degree of uncertainty. The updated PBR estimates reported by the commenters (*i.e.,* 0.05 (or one dolphin every 20 years) to 0.12 (or one dolphin every 8.3 years)) are also similar to those reported previously using older abundance estimates—*e.g.,* 0.16 (Slooten *et al.,* 2006a), 0.044–0.10 (Wade *et al.,* 2012).

Overall, while the commenters' report does provide updated analyses, the results presented and the more recent population abundance estimate for Maui dolphins do not change the outlook for this subspecies. The subspecies is at a critically low abundance, is still considered to have a very low threshold for human-caused mortality (*i.e.,* PBR is still well below 1.0), and is likely to undergo continued decline. Therefore, we find that the new abundance estimate and revised analyses support, and do not alter, our previous conclusion that the Maui dolphin meets the definition of endangered under the ESA.

As explained by the commenters, previous estimates of PBR and population viability analyses for the SI Hector's dolphins relied on earlier, lower abundance estimates; whereas, the analyses prepared by the commenters use the latest abundance estimate of 14,849 SI Hector's dolphins (95% CI = 11,923–18,492, Mackenzie and Clement 2014, 2016). As discussed in more detail in the status review report (Manning and Gantz 2017), this most recent abundance estimate for the SI Hector's dolphin is based on a series of aerial, line-transect surveys that were conducted around the South Island during 2010–2015 (Clement *et al.,* 2011, Mackenzie and Clement 2014, Mackenzie and Clement 2016). These surveys extended farther offshore than the previous island surveys (up to 20 nautical miles offshore versus 4 to 10 nautical miles), a factor that, to some extent, contributed to the larger abundance estimate relative to the previous estimate. Interestingly, despite the much larger population abundance estimate for this subspecies, the results of the updated analyses for the SI Hector's dolphin provided by the commenters do not suggest a substantially different outlook for the subspecies.

The commenters provide updated PBR estimates for SI Hector's dolphins by region. Unfortunately, however, the east coast of the South Island is the only region for which bycatch estimates are available following implementation of management measures in 2008, making comparisons of bycatch levels to PBR estimates for other regions difficult. The updated PBR estimates for the east coast population presented by the commenters (3–15 dolphins per year) are higher than those published previously by the commenters (0.57–1.28, Slooten and Dawson 2008b); however, they are still largely below the level of bycatch estimated for the east coast using commercial gillnetting observer data (23 dolphins, min-max range of 4—48, Slooten and Davies 2012). This information suggests that bycatch in commercial gillnets alone may be occurring at an unsustainable rate in this region.

The results of the updated PVAs provided by the commenters for the SI Hector's dolphins suggest that a large historical decline in abundance occurred since the 1970's, similar to the finding of previous analyses (*e.g.,* Slooten 2007a, Slooten and Dawson 2010). The updated PVA also predicts continued decline by about 44 percent by the year 2050 given current fishing effort, estimated bycatch, and current management measures. It is not clear, however, what bycatch estimates were applied in this analysis; and, as noted by the commenters, there is considerable uncertainty regarding the level of bycatch across the range of the subspecies. This and previous analyses have relied on very limited bycatch estimates, which are only available for a small number of regions and years and only for commercial gillnet fisheries. These shortcomings have been noted previously and cannot be remedied until sufficient, reliable bycatch data become available.

Overall, the results of the analyses presented by the commenters are consistent with our previous conclusions that the SI Hector's dolphin

has experienced large historical declines in abundance, is likely experiencing unsustainable levels of bycatch, and is likely to continue to decline under existing management protections. Therefore, we conclude the information provided in the commenters' report does not alter our finding that the SI Hector's dolphin meets the definition of threatened under the ESA.

Comment 3: Five commenters requested that we list the SI Hector's dolphin as endangered under the ESA. One of these commenters also urged that we enact strict protections immediately for SI Hector's dolphins (and Maui dolphins). One of the commenters stated that an endangered listing for SI Hector's dolphins was justified because this subspecies consists of a network of unique, local populations or ''Distinct Population Segments'' that are small, declining, and increasingly fragmented. Three papers on specific subpopulations of SI Hector's dolphins (*i.e.,* Rayment *et al.,* 2009a, Turek *et al.,* 2013, Weir and Sagnol 2015) and one study on genetic differentiation among populations (*i.e.,* Hamner *et al.,* 2012a) were provided to demonstrate fragmentation of populations. This commenter also stated that bycatch levels remain high because current fisheries management measures cover only a small portion of the SI Hector's dolphin's habitat and are poorly monitored and enforced. A report reviewing marine fisheries catch data in New Zealand (*i.e.,* Simmons *et al.,* 2016) and a link to video footage showing the capture of two SI Hector's dolphins were provided to support this statement.

Response: In response to these comments, we reviewed the information and references provided and considered whether the available information indicates the SI Hector's dolphin meets the definition of endangered under the ESA.

We agree that SI Hector's dolphin comprises multiple populations, some of which have been estimated to be very small, and that the population structure, in combination with other factors such as small home ranges (*e.g.,* Rayment *et al.,* 2009a), is contributing to the extinction risk for this subspecies. The best available data indicate that the SI Hector's subspecies comprises three, regional populations that can be distinguished geographically and genetically—an east coast (ECSI), west coast (WCSI), and south coast population (SCSI; Pichler 2002, Hamner *et al.,* 2012). Additional population structuring within these larger geographic regions has also been indicated in genetic studies (*e.g.,* Te Wæwæ Bay and Toetoe Bay within the SCSI, Hamner *et al.,* 2012a). Two references cited by the commenter present analyses of photo-identification data that provide additional evidence of small, localized or fragmented populations off Otago and Kairkoura on the ECSI (Turek *et al.,* 2013, Weir and Sagnol 2015). Because we had not cited these latter two references previously, we have expanded our discussion of population structure in the status review report (Manning and Grantz 2017) to incorporate information from these two studies.

The references provided, however, do not alter our interpretation of the available data regarding population structure and its contribution to extinction risk for SI Hector's dolphins. As discussed in the status review report and proposed rule, the available genetic evidence (based on both mitochondrial DNA and microsatellites) indicates that there are low levels of migration between most neighboring local populations over distances shorter than 100 km (Hamner *et al.,* 2012a). While strong genetic differentiation has been detected among the regional populations, very few intra-regional comparisons of populations in the ECSI and WCSI regions have been significant (Pichler 2002; Hamner *et al.,* 2012a). Analysis of levels of genetic differentiation among sample locations within regions suggests there is sufficient gene flow to maintain genetic diversity within the ECSI and WCSI regions; however, the very restricted gene flow detected between local populations in the SCSI region (*i.e.,* beween Te WaeWae and Toetoe Bays) does pose a conservation concern (Hamner *et al.,* 2012a). Connectivity between the small, local populations within each region is very important to the overall status of this subspecies, and additional loss of connectivity would increase risks of genetic drift, loss of genetic diversity, and extinction. Thus, as we concluded in our status review (Manning and Grantz 2017), the spatial structure and connectivity among SI Hector's populations is posing a moderate risk to the subspecies, but this factor, either alone or in combination with other threats, does not put the subspecies at immediate risk of extinction (Manning and Grantz 2017). Information provided by the commenter does not provide new or different information regarding the degree of population fragmentation, abundance, or the rate of decline of any populations. Therefore, we find that the information provided by the commenter is consistent with the analysis presented in our status review and does not alter our conclusion that the SI Hector's dolphin meets the definition of threatened under the ESA.

We also agree with the comment that bycatch of SI Hector's dolphins continues to pose a threat despite existing fisheries management efforts. As we discuss in our status review, the risk of bycatch in commercial and recreational trawl and gillnet fisheries remains high given the known distribution of the dolphins relative to areas open to fishing, especially on the west and north coasts of the South Island (Faustino *et al.,* 2013, Slooten 2013). The report provided by the commenter, which reviewed New Zealand marine fisheries catch data from 1950–2010 (*i.e.,* Simmons *et al.,* 2016), indicates a serious degree of under-reporting of catch and discards in commercial fisheries; however, the report documents the under-reporting of only a single Hector's dolphin by one fishing vessel. Video footage provided by one of the commenters was recorded as part of an investigation, called Operation Achilles, conducted by the New Zealand Ministry for Primary Industries' (MPI) following earlier video evidence of dolphin bycatch obtained during a pilot electronic monitoring program. The footage provided by the commenter was made publicly available by MPI and shows the capture of two SI Hector's dolphins; and according to the associated reports provided by MPI (*http://mpi.govt.nz/protection-and-response/environment-and-natural-resources/sustainable-fisheries/independent-review-of-prosecution-decisions/*), only one of the two dolphins was reported as legally required. Overall, while the report and the video provide definitive evidence that under-reporting of bycatch of Hector's dolphins has occurred, this information alone does not augment the available bycatch data or improve our understanding of the extent or rate of bycatch such that an endangered listing for the SI Hector's dolphin is warranted.

Lastly, we note that one of the commenters who requested an endangered listing for the SI Hector's dolphin equated the population structure of SI Hector's dolphins with ''distinct population segments'' (DPSs), which are included in the ESA definition of a ''species'' and are units of vertebrate populations that can be listed under the ESA. We address DPSs and the issue of whether populations of SI Hector's dolphins should be identified as DPSs under our response to Comment 4 (below).

Comment 4: The Marine Mammal Commission commented that the information provided in our status

review and proposed rule is insufficient to support a threatened listing for the SI Hector's dolphin. The comment discussed four main lines of reasoning in support of that statement: (1) In contrast to the Maui dolphin, the SI Hector's dolphins remain fairly abundant; (2) the length of the ''foreseeable future'' we applied is unrealistically long; (3) bycatch is currently being mitigated through management actions, and we cannot assume that additional management measures will not be implemented by New Zealand; and, (4) while disease and tourism are potential threats, their population-level impacts are uncertain. The Commission recommended that we revise the length of the ''foreseeable future'' used in the analysis, reconsider whether existing regulatory mechanisms are inadequate to address the threat of bycatch, and reconsider our proposal to list the SI Hector's dolphin subspecies as threatened.

The Commission also noted that one or more of the regional populations of SI Hector's dolphins could meet the definition of a DPS. The Commission states that the status review and proposed rule did not explore the possibility that any of these populations could merit separate listing consideration or could contribute to a threatened listing of the subspecies.

Response: We agree with the Commission that the current abundance estimate for the SI Hector's dolphin is fairly high relative to the estimated population abundance of Maui dolphins, which is at a critically low level. The estimated abundance of the entire SI subspecies was an important consideration in our risk analysis and contributed to our finding that the SI Hector's dolphin is not presently in danger of extinction and thus does not meet the definition of endangered under the ESA. However, we did not rely on estimates of abundance as an exclusive determinant of this subspecies' risk of extinction. Rather, and as is our standard practice when conducting status reviews under the ESA and as articulated in our status review, our analysis also considered other demographic risk factors, including population growth/productivity, spatial structure and connectivity, and genetic diversity. As required under the ESA, we also considered threats and protective efforts. Thus, for SI Hector's dolphins in particular, we considered the estimates of large historical declines in abundance, the observed loss of genetic diversity, the limited connectivity of populations, as well as ongoing threats such as bycatch and the projections of continued declines despite management efforts. Ultimately, all of this information was used in reaching the conclusion that this subspecies faces a level of risk that warrants listing it as threatened under the ESA.

We disagree with the comment that we applied an ''unrealistically long'' timeframe as the ''foreseeable future'' in our analysis and that we should revise it to be ''a period of time relevant to mitigation of the bycatch threat.'' The comment explicitly refers to a discussion presented in both the status review and proposed rule regarding the rate of decline of SI Hector's dolphins around Banks Peninsula as estimated by Gormley *et al.* (2012) and our extrapolation of that rate of decline to the entire subspecies. The result of our calculation was a 50 percent decline in the population in about 138 years and an 80 percent decline in about 321 years. We did not, however, apply these timeframes as the ''foreseeable future'' as asserted by the Commission. As we stated in the proposed rule (81 FR 64121, September 19, 2016), these are simply calculations based on the limited data available, and we did not use them to establish any specific thresholds for determining when the subspecies may be in danger of extinction. The status review also characterizes this calculation as ''grossly over-simplified and not realistic'' and explains that a trend analysis and a projection of the time to extinction is not currently possible (Manning and Grantz 2017). We also stated in both the status review and proposed rule that the actual rate of decline of the subspecies remains unclear given the deficiency of bycatch mortality data. We note that we are not required to develop a specific rate of decline in order to find that a species meets the definition of threatened under the ESA. In this particular case, the available data do not support such a calculation. Lastly, we note that our ultimate determination regarding the status of the SI Hector's dolphin does not exclusively depend on the threat of bycatch or the rate of decline attributable to bycatch alone. Our status review and proposed rule discuss available data on other demographic risk factors and threats, and our conclusion that the SI Hector's dolphin warrants listing as threatened was based on consideration of these multiple threats, each of which may be operating at different time scales. We made minor edits to the status review report to clarify this issue.

As requested by the Commission, we reconsidered our conclusion regarding the adequacy of existing management measures relative to the threat of bycatch of SI Hector's dolphins. We also searched for additional data and information regarding bycatch of Hector's dolphins and associated management measures. We did not find any updated information regarding the rate or extent of bycatch or the effectiveness of current bycatch reduction efforts around the South Island, nor did the Commission provide any data or information regarding the adequacy of bycatch management measures. We did, however, receive a letter, dated November 22, 2016, from the New Zealand Department of Conservation (DOC), affirming the New Zealand government's commitment to the long-term viability of Hector's dolphins and indicating that the DOC and the Ministry for Primary Industries (MPI) will be undertaking a review of their Threat Management Plan in 2018. The effectiveness of existing protections for the dolphins will be assessed as part of that review. However, we cannot speculate on whether or what changes to existing protections may occur in the future as a result of that review process.

During our search for additional information, we noticed that since publication of the proposed rule to list SI Hector's dolphins in September 2016 (81 FR 64110), five SI Hector's dolphin mortalities had been added to the DOC's incident database. Cause of death, which was determinable for three of the five dolphins, is listed as disease for two dolphins and bycatch in a commercial trawl net for the third dolphin. We also found a recent press release, dated June 27, 2017, from the New Zealand MPI indicating that MPI was investigating the death of two other SI Hector's dolphins found in March 2017, one near Banks Peninsula on the East Coast and one in Greymouth on the West Coast (*http://www.mpi.govt.nz*). In the press release, MPI states they believe the cause of death of the dolphin found on the West Coast was illegal recreational set-netting. This additional information clearly indicates that bycatch of SI Hector's dolphins is continuing in both trawls and gillnets; however, it does not constitute sufficient data to alter or revise our previous assessment. Ultimately, after careful consideration, we did not find any basis to change our previous conclusion regarding the adequacy of existing bycatch management measures. We find that the weight of the available data and study results support a conclusion that bycatch has contributed to a large historical decline in abundance and continues to contribute to the decline of SI Hector's dolphins.

We agree with the Commission that the population-level effects of disease

and tourism are uncertain. Other threats discussed in our status review report (Manning and Grantz 2017)—for example, pollution and contaminants—have a similar uncertainty. We do not agree, however, that this uncertainty means these threats can be disregarded. As we discuss in our status review report, the available data suggest that tourism activities and disease are posing threats to SI Hector's dolphins (Manning and Grantz 2017). The report presents the available information regarding infectious disease cases (especially toxoplasmosis) in SI Hector's dolphins, which in addition to being a possibly substantial source of mortality, may have other detrimental, sub-lethal consequences (*e.g.,* increased risk of predation, reduced reproductive rate, neonatal deaths) for the dolphins. The status review report also presents information on the intensity and popularity of dolphin watching and commercial encounter (or ''swim with'') operations off the South Island; and presents evidence of short-term behavioral responses in SI Hector's dolphins, and evidence of linkages to longer-term impacts in other dolphins (*e.g., Tursiops* sp.). Available data on the related concern of boat strikes were also provided. We noted in the report that the available data are not currently sufficient to understand the magnitude or overall impact of these threats on the subspecies. In our proposed rule (81 FR 64123, September 19, 2016), we concluded that factors such as disease and tourism are ''lesser threats'' that are ''likely exacerbating the rates of decline'' for SI Hector's dolphins. In other words, we do not consider disease and tourism to be the main drivers of decline of SI Hector's dolphins; rather, we consider them to be contributors to the cumulative, negative impacts on the status of the subspecies.

Lastly, we disagree with the suggestion that we should explore the possibility of listing separate distinct population segments (DPS) of SI Hector's dolphins or consider how their individual statuses might contribute to a threatened listing for the subspecies. Section 3 of the ESA defines a ''species'' to include ''any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature.'' A joint policy with the U.S. Fish and Wildlife Service (together the ''Services'') lays out two elements that must be considered when identifying a DPS: (1) The discreteness of the population segment in relation to the remainder of the species (or subspecies); and (2) the significance of the population segment to the remainder of the species (or subspecies) (''the DPS Policy,'' 61 FR 4722, February 7, 1996). As stated in the DPS Policy, Congress expressed its expectation that the Services would exercise authority with regard to DPSs sparingly and only when the biological evidence indicates such action is warranted. In this particular case, because we reached a determination that the SI Hector's dolphin warrants listing at the subspecies level, such an analysis would be superfluous. In addition, because we were not petitioned to list the SI Hector's dolphins as separate DPSs, there is no requirement that we commit additional agency resources to conduct an analysis and determine whether SI Hector's dolphins could be listed separately at the DPS level. Furthermore, we note there is no clear conservation benefit to the subspecies by pursuing such an option.

Comment 5: Several commenters stated that they were opposed to the elimination of swim-with-dolphin activities. One commenter stated that, although he is supportive of marine mammal conservation generally, swimming with wild dolphins should not be prohibited because it causes no harm to the dolphins.

Response: This rulemaking concerns only whether Maui dolphins and SI Hector's dolphins meet the statutory definition of a threatened or endangered species and thus warrant listing under the ESA. Therefore, these comments are not relevant to this rulemaking. Furthermore, regulation of swimming with wild Hector's dolphins is under the exclusive jurisdiction of the government of New Zealand.

We also note that, as discussed in our proposed rule and status review, several studies have demonstrated short-term behavioral changes in SI Hector's dolphins in response to dolphin-watching tour boats and 'swim-with' activities (*e.g.,* significant disruptions of diving and travelling), and that any longer-term impacts are not yet clear. The commenter provided no data or information to support the assertion that such activities pose ''no harm'' to SI Hector's dolphins.

Comment 6: Over a dozen commenters requested that the United States or U.S. citizens stop buying New Zealand fish until both Maui and SI Hector's dolphins are protected throughout their ranges. Several comments specifically referenced the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act and the associated regulatory requirements for countries wishing to export fish to the United States. One of these commenters stated that to meet these requirements New Zealand will have to implement effective measures to protect Maui and Hector's dolphins, including substantially improving its fisheries management systems.

Response: This rulemaking concerns only whether Maui dolphins and SI Hector's dolphins meet the statutory definition of a threatened or endangered species and thus warrant listing under the ESA. Listing the Maui dolphin and the SI Hector's dolphin under the ESA will not directly result in a ban or prohibition on U.S. import of fish or fish products from fisheries contributing to incidental mortality or serious injury of Hector's dolphins. Such a ban cannot be established under the authority of the ESA. Specific protections that will be provided to Hector's dolphins following their listing under the ESA are discussed below in the *Effects of Listing* section.

U.S. import of fish or fish products from a nation's fisheries with associated incidental mortality or serious injury of marine mammals may be subject to NMFS' recent regulation promulgated under the U.S. Marine Mammal Protection Act (81 FR 54390, August 15, 2016). This regulation established criteria and a formal process for evaluating foreign fisheries and their frequency of incidental mortality and serious injury of marine mammals. Additional information on this regulation and its implementation are available online at *www.fisheries.noaa.gov/ia/slider_stories/2016/08/mmpafinalrule.html.*

Comment 7: Multiple commenters raised concerns about the impacts to Hector's dolphins from offshore oil and gas development and alternative energy projects. One commenter stated that there are concerns that current seismic mapping will scare away Hector's dolphins on the east coast of the South Island. Another commenter stated that we should further consider emerging threats, including the potential offshore expansion of renewable energy facilities. This commenter noted that while her organization is not opposed to renewable energy projects and that while relevant data are limited, the risks to Hector's dolphins stemming from pile driving noise, collisions with tidal turbines, increased marine traffic, vessel strikes, and habitat displacement should not be dismissed. The commenter provided several studies documenting the effects of wind farm construction and operation on harbor porpoises within the Baltic Sea.

Response: We agree that seismic testing and other activities within the

marine environment associated with oil and gas exploration and development may be posing threats to Hector's dolphins. Our status review (Manning and Grantz 2017) provided some discussion about the possible impacts of these activities—for example, reductions in local fish abundance (Engås *et al.,* 1996), disruption of normal behaviors (Gordon *et al.,* 2003; Thompson 2012), and habitat displacement (Hildebrand 2005). However, we also acknowledged that the extent to which Hector's dolphins are being negatively affected—both individually and at a population level—has not yet been established because there are insufficient data to evaluate impacts to Hector's dolphins specifically. Thus, we cannot draw any firm conclusions regarding the extent to which these activities are affecting Hector's dolphins. We note that the Marine Mammal Impact Assessments, which are prerequisite environmental assessments for conducting seismic testing within New Zealand's EEZ (*http://www.doc.govt.nz/our-work/seismic-surveys-code-of-conduct/marine-mammal-impact-assessments/*), typically conclude that impacts on marine mammals from seismic testing are ''minor.''

In response to the comment on marine renewable energy facilities and projects, we reviewed the literature submitted and conducted a search for additional information regarding these types of projects within New Zealand. According to the national energy efficiency strategy for 2017–2022, New Zealand has set a target of generating 90 percent of its electricity from renewable sources by the year 2025 (MBIE 2017). However, very little information is available regarding specific renewable marine energy projects or associated impacts in New Zealand. Tidal and wave energy development, in particular, appear to be at a very nascent stage. The Energy Efficiency and Conservation Authority (EECA) is New Zealand's government agency charged with promoting energy efficiency, including the use of renewable sources of energy. According to EECA's Web site, the agency provided funding to support six wave or tidal projects from 2007 to 2011 but none of those projects has proceeded past some initial stage. A tidal power project has been proposed for the main channel of Kaipara Harbor, which lies towards the northern edge of the Maui dolphin range; however, the status of that facility is unclear. Within the range of SI Hector's dolphins, as of 2011, two tidal energy projects were being pursued in Cook Strait, and research and development to support a wave energy project in Pegasus Bay was underway (Wright and Leary 2011). The current status of these projects is also unclear. The EECA Web site states that, given the relatively substantial expense of these projects, the agency does not foresee marine energy as a major energy contributor in New Zealand (see *www.eeca.govt.nz*). Wind energy appears to be a more promising renewable energy source in New Zealand, and according to the EECA, 19 wind farms are either operating or under construction. However, none of these wind farms are in the marine environment (see *www.windenergy.org.nz*). Therefore, at this time, there is insufficient information to evaluate whether renewable marine energy projects are currently posing a threat to Hector's dolphins, and there is no clear indication that renewable energy projects will pose a future threat to the dolphins or their habitat. We have revised our status review report to include a discussion of renewable energy development, but ultimately this information did not alter our extinction risk conclusions for either subspecies.

Summary of Changes From the Proposed Listing Rule

We did not receive, nor did we find, data or references that presented substantial new information to change our proposed listing determinations. We did, however, make several revisions to the status review report (Manning and Grantz 2017) to incorporate, as appropriate, relevant information received in response to our request for public comments. Specifically, we updated the status review to include the more recently completed 2015–2016 abundance estimate for Maui dolphins and associated results (*e.g.,* survival rates, Baker *et al.,* 2016). Because this new abundance estimate still indicates a critically low population abundance of 63 dolphins 1 year of age and older (95 percent CI = 57–75; Baker *et al.,* 2016) and is within the 95 percent confidence interval of the previous estimate (N = 55, 95 percent CI = 48–69), it did not alter the outcome of our risk assessment. We expanded our discussion of population structure within the SI Hector's dolphin to include the additional references provided by a commenter and made minor edits to clarify our discussion on the rate of decline for this subspecies. We also revised the status review report by adding a discussion of the potential threat of marine alternative energy projects to both Hector's and Maui dolphins. As noted above, consideration of this additional, potential threat did not alter any conclusions regarding extinction risk for either subspecies. Lastly, we updated the spelling of the common name for *C. hectori maui* to Maui in response to a peer reviewer's comment that this spelling more appropriately reflects the Maori language from which the name was derived.

Status Review

Status reviews for the Maui dolphin and the SI Hector's dolphin were completed by NMFS staff from the Office of Protected Resources. To complete the status reviews, we compiled the best available data and information on the subspecies' biology, ecology, life history, threats, and conservation status by examining the petition and cited references and by conducting a comprehensive literature search and review. We also considered information submitted to us in response to our petition finding. The status review report provides a thorough discussion of the life history, threats, demographic risks, and overall extinction risk for both dolphin subspecies. The status review was subjected to peer review by three, independent reviewers. All peer reviewer comments are available at *http://www.cio.noaa.gov/services_programs/prplans/ID351.html.* The final status review report (cited as Manning and Grantz 2017) is available on our Web site *http://www.nmfs.noaa.gov/pr/species/petition81.htm.*

ESA Section 4(a)(1) Factors Affecting the Dolphins

As stated previously and as discussed in the proposed rule (81 FR 64110; September 19, 2016), we considered whether any one or a combination of the five threat factors specified in section 4(a)(1) of the ESA are contributing to the extinction risk of the Maui and SI Hector's dolphins. Several commenters provided additional information related to threats such as forms of habitat modification and degradation, under-reporting of bycatch, and the projected population decline of SI Hector's dolphins. The information provided was consistent with or reinforced information in the status review report and proposed rule, and thus, did not change our conclusions regarding any of the section 4(a)(1) factors or their interactions. Therefore, we incorporate herein all information, discussion, and conclusions regarding the factors affecting the two dolphin subspecies from the final status review report (Manning and Grantz 2017) and the

proposed rule (81 FR 64110; September 19, 2016).

Extinction Risk

As discussed previously, the status review evaluated the demographic risks to both dolphin subspecies according to four categories—abundance and trends, population growth/productivity, spatial structure/connectivity, and genetic diversity. As a concluding step, after considering all of the available information regarding demographic and other threats to the subspecies, we rated each subspecies' extinction risk according to a qualitative scale (high, moderate, and low risk). Although we did update our status review to incorporate the most recent abundance estimate for Maui dolphins and information from two additional studies regarding population fragmentation within SI Hector's dolphins, none of the comments or information we received on the proposed rule changed the outcome of our extinction risk evaluations for either subspecies. Our conclusions regarding extinction risk for these subspecies remain the same. Therefore, we incorporate herein all information, discussion, and conclusions on the extinction risk of the two dolphin subspecies in the final status review report (Manning and Grantz 2017) and proposed rule (81 FR 64110; September 19, 2016).

Protective Efforts

In addition to regulatory measures (*e.g.,* fishing and boating regulations, sanctuary designations), we considered other efforts being made to protect Hector's dolphins. We considered whether such protective efforts altered the conclusions of the extinction risk analysis for Maui and SI Hector's dolphins. None of the information we received on the proposed rule affected our conclusions regarding conservation efforts to protect the two dolphin subspecies. Therefore, we incorporate herein all information, discussion, and conclusions on the extinction risk of the two dolphin subspecies in the final status review report (Manning and Grantz 2017) and proposed rule (81 FR 64110; September 19, 2016).

Final Listing Determinations

The present estimated abundance of Maui dolphins is critically low, and the subspecies faces additional demographic risks due to greatly reduced genetic diversity and a low intrinsic population growth rate. Past declines, estimated to be on the order of about 90 percent (Martien *et al.,* 1999, Slooten 2007a), are considered to have been driven largely by bycatch in gillnets (Currey *et al.,* 2012). Maui dolphins continue to face threats of bycatch, disease, and mining and seismic disturbances; and, it is considered unlikely that this subspecies will recover unless sources of anthropogenic mortality are eliminated (Slooten *et al.,* 2006; MFish and DOC 2007b, Baker *et al.,* 2010). Based on the best available scientific and commercial information, as summarized here, in our proposed rule (81 FR 64110; September 19, 2016), and in the status review report (Manning and Grantz 2017), and after consideration of protective efforts, we find that the Maui dolphin (*Cephalorhynchus hectori maui*) is in danger of extinction throughout its range. Therefore, we find that this subspecies meets the definition of an endangered species under the ESA and list it as such.

The SI Hector's dolphin has experienced substantial population declines since the 1970s, has relatively low genetic diversity, a low intrinsic population growth rate, and a fragmented population structure. Although historical data are lacking, Slooten (2007a) estimated that the SI Hector's dolphin population has declined by about 73 percent between 1970 and 2007, and available population viability analyses indicate that the SI Hector's dolphin is likely to continue to decline unless bycatch mortality is reduced (Davies *et al.,* 2008, Slooten and Davies 2012, Slooten 2013). Gormley *et al.* (2012) estimated that the Banks Peninsula population, which has benefited from almost three decades of protection, would continue to decline at a rate of about 0.5 percent per year despite significantly improved survival rates. The actual rate of decline of the subspecies remains unclear given the very limited bycatch mortality data available, and a trend analysis based on survey data is also confounded by the fact that surveys have covered different portions of the range and have dramatically increased in sophistication and geographical scope over time. Thus, a precise analysis of the rate of decline and projection of time to extinction given multiple threats and demographic considerations is not currently possible. However, the available evidence indicates that management measures have not halted population declines and supports a conclusion that populations of SI Hector's dolphins will continue to decline.

Current levels of bycatch are contributing to the decline of this subspecies (Slooten and Davies 2012). Additional, lesser threats, such as disease and tourism impacts, are likely exacerbating the rate of decline and thereby contributing to the overall extinction risk of this subspecies. Given recent abundance estimates for the total population and evidence of a slowed rate of decline following expanded fisheries management measures, we find that this subspecies is not presently in danger of extinction. However, significant historical declines and the projected decline for most populations, combined with a low population growth rate, low genetic diversity, limited population connectivity, and the ongoing threats of bycatch, disease, and tourism, provide a strong indication that this subspecies is likely to become an endangered species within the foreseeable future. We therefore find that this subspecies meets the definition of threatened under the ESA and list it as such.

Effects of Listing

Conservation measures provided for species listed as endangered or threatened under the ESA include the development and implementation of recovery plans (16 U.S.C. 1533(f)); designation of critical habitat, if prudent and determinable (16 U.S.C. 1533(a)(3)(A)); and a requirement that Federal agencies consult with NMFS under section 7 of the ESA to ensure their actions are not likely to jeopardize the species or result in adverse modification or destruction of designated critical habitat (16 U.S.C. 1536). For endangered species, protections also include prohibitions related to ''take'' and trade (16 U.S.C. 1538). Take is defined as ''to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct'' (16 U.S.C. 1532(19)). These prohibitions do not apply to species listed as threatened unless protective regulations are issued under section 4(d) of the ESA (16 U.S.C. 1533(d)), leaving it to the Secretary's discretion whether, and to what extent, to extend the ESA's prohibitions to the species. Section 4(d) protective regulations may prohibit, with respect to threatened species, some or all of the acts which section 9(a) of the ESA prohibits with respect to endangered species.

Recognition of the species' imperiled status through listing may also promote conservation actions by Federal and state agencies, foreign entities, private groups, and individuals.

Activities That Would Constitute a Violation of Section 9 of the ESA

On July 1, 1994, NMFS and the U.S. Fish and Wildlife Service (USFWS) published a policy (59 FR 34272) that requires us to identify, to the maximum

extent practicable at the time a species is listed, those activities that would or would not constitute a violation of section 9 of the ESA. The intent of this policy is to increase public awareness of the potential effects of species listings on proposed and ongoing activities.

Because we are listing the Maui dolphin as endangered, all of the prohibitions of section 9(a)(1) of the ESA will apply to this subspecies. Section 9(a)(1) includes prohibitions against the import, export, use in foreign commerce, and ''take'' of the listed species. These prohibitions apply to all persons subject to the jurisdiction of the United States, including in the United States, its territorial sea, or on the high seas. Activities that could result in a violation of section 9 prohibitions for Maui dolphins include, but are not limited to, the following:

(1) Delivering, receiving, carrying, transporting, or shipping in interstate or foreign commerce any Maui dolphin or any of its parts, in the course of a commercial activity;

(2) Selling or offering for sale in interstate commerce any part, except antique articles at least 100 years old; and

(3) Importing or exporting Maui dolphins or any parts of these dolphins.

Whether a violation results from a particular activity is entirely dependent upon the facts and circumstances of each incident. Further, an activity not listed here may in fact constitute a violation.

Identification of Those Activities That Would Not Likely Constitute a Violation of Section 9 of the ESA

Although the determination of whether any given activity constitutes a violation is fact dependent, we consider the following actions, depending on the circumstances, as being unlikely to violate the prohibitions in ESA section 9 with regard to Maui dolphins: (1) Take authorized by, and carried out in accordance with the terms and conditions of, an ESA section 10(a)(1)(A) permit issued by NMFS for purposes of scientific research or the enhancement of the propagation or survival of the species; and (2) continued possession of Maui dolphins or any parts that were in possession at the time of listing. Such parts may be non-commercially exported or imported; however, the importer or exporter must be able to provide evidence to show that the parts meet the criteria of ESA section 9(b)(1) (*i.e.,* held in a controlled environment at the time of listing, in a non-commercial activity).

Section 11(f) of the ESA gives NMFS the authority to promulgate regulations that may be appropriate to enforce the ESA. Thus, we could promulgate future regulations to regulate trade or holding of Maui dolphins. However, we do not foresee a necessity for such regulations at this time.

Protective Regulations Under Section 4(d) of the ESA

Because we are listing the SI Hector's dolphins as threatened, the prohibitions under section 9 of the ESA will not automatically apply to this subspecies. As stated above, ESA section 4(d) leaves it to the Secretary's discretion whether, and to what extent, to extend the section 9(a) prohibitions to threatened species, and authorizes us to issue regulations that are deemed necessary and advisable to provide for the conservation of the species. Because SI Hector's dolphins occur entirely outside of the United States, and are not commercially traded with the United States, extending the section 9(a) prohibitions to this subspecies will not result in added conservation benefits or species protection, particularly given the fact that such trade is already generally prohibited under the Marine Mammal Protection Act (16 U.S.C. 1372). Therefore, we do not intend to issue section 4(d) regulations for SI Hector's dolphins at this time.

Section 7 Consultation Requirements

Section 7(a)(2) (16 U.S.C. 1536(a)(2)) of the ESA and joint NMFS/USFWS regulations require Federal agencies to consult with NMFS to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species or destroy or adversely modify critical habitat. It is unlikely that the listing of these subspecies under the ESA will increase the number of section 7 consultations, because these subspecies occur outside of the United States and are unlikely to be affected by U.S. Federal actions.

Critical Habitat

Critical habitat is defined in section 3 of the ESA (16 U.S.C. 1532(5)) as: (1) The specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the ESA, on which are found those physical or biological features (a) essential to the conservation of the species and (b) that may require special management considerations or protection; and (2) specific areas outside the geographical area occupied by a species at the time it is listed if such areas are determined to be essential for the conservation of the species. Section 4(a)(3)(A) of the ESA (16 U.S.C. 1533(a)(3)(A)) requires that, to the extent prudent and determinable, critical habitat be designated concurrently with the listing of a species. However, critical habitat cannot be designated in foreign countries or other areas outside U.S. jurisdiction (50 CFR 424.12(g)). Maui and SI Hector's dolphins are endemic to New Zealand and do not occur within areas under U.S. jurisdiction. There is no basis to conclude that any unoccupied areas under U.S. jurisdiction are essential for the conservation of either subspecies. Therefore, we do not intend to propose any critical habitat designations for either subspecies.

Peer Review

In December 2004, the Office of Management and Budget (OMB) issued a Final Information Quality Bulletin for Peer Review establishing a minimum peer review standard. We solicited peer review comments on the draft status review report from three scientists with expertise on Hector's dolphins. We received and reviewed comments from these scientists, and, prior to publication of the proposed rule, their comments were incorporated into the draft status review report (Manning and Grantz 2016), which was then made available for public comment. As stated earlier, peer reviewer comments on the status review are available at *http://www.cio.noaa.gov/services_programs/prplans/ID351.html.*

References

A complete list of the references used is available upon request (see **ADDRESSES**).

Classification

National Environmental Policy Act

Section 4(b)(1)(A) of the ESA restricts the information that may be considered when assessing species for listing and sets the basis upon which listing determinations must be made. Based on the requirements in section 4(b)(1)(A) of the ESA and the opinion in *Pacific Legal Foundation* v. *Andrus,* 675 F. 2d 825 (6th Cir. 1981), we have concluded that ESA listing actions are not subject to the environmental assessment requirements of the National Environmental Policy Act (NEPA).

Executive Order 12866, Regulatory Flexibility Act

As noted in the Conference Report on the 1982 amendments to the ESA, economic impacts cannot be considered when assessing the status of a species. Therefore, the economic analysis requirements of the Regulatory

Flexibility Act are not applicable to the listing process.

In addition, this rule is exempt from review under Executive Order 12866.

Paperwork Reduction Act

This final rule does not contain a collection-of-information requirement for the purposes of the Paperwork Reduction Act.

Executive Order 13132, Federalism

In accordance with E.O. 13132, we determined that this final rule does not have significant federalism effects and that a federalism assessment is not required.

List of Subjects

50 CFR Part 223

Endangered and threatened species, Exports, Transportation.

50 CFR Part 224

Endangered and threatened species, Exports, Imports, Transportation.

Dated: September 14, 2017.

Samuel D. Rauch, III,

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

For the reasons set out in the preamble, 50 CFR parts 223 and 224 are amended as follows:

PART 223—THREATENED MARINE AND ANADROMOUS SPECIES

■ 1. The authority citation for part 223 continues to read as follows:

Authority: 16 U.S.C. 1531–1543; subpart B, §§ 223.201–202 also issued under 16 U.S.C. 1361 *et seq.;* 16 U.S.C. 5503(d) for § 223.206(d)(9).

■ 2. In § 223.102, amend the table in paragraph (e) by adding a new entry under ''Marine Mammals'' in alphabetical order, by common name, to read as follows:

§ 223.102 Enumeration of threatened marine and anadromous species.

* * * * *

(e) * * *

Species [1]			Citation(s) for listing determination(s)	Critical habitat	ESA rules
Common name	Scientific name	Description of listed entity			
Marine Mammals					
Dolphin, Hector's	*Cephalorhynchus hectori hectori*	Entire subspecies	*[Insert **Federal Register** page where the document begins],* September 19, 2017.	NA	NA
*	*	*	*	*	*

[1] Species includes taxonomic species, subspecies, distinct population segments (DPSs) (for a policy statement, see 61 FR 4722, February 7, 1996), and evolutionarily significant units (ESUs) (for a policy statement, see 56 FR 58612, November 20, 1991).

* * * * *

PART 224—ENDANGERED MARINE AND ANADROMOUS SPECIES

■ 3. The authority citation for part 224 continues to read as follows:

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

■ 4. In § 224.101, amend the table in paragraph (h) by adding a new entry under ''Marine Mammals'' in alphabetical order, by common name, to read as follows:

§ 224.101 Enumeration of endangered marine and anadromous species.

* * * * *

(h) * * *

Species [1]			Citation(s) for listing determination(s)	Critical habitat	ESA rules
Common name	Scientific name	Description of listed entity			
Marine Mammals					
*	*	*	*	*	*
Dolphin, Maui	*Cephalorhynchus hectori maui*	Entire subspecies	*[Insert **Federal Register** page where the document begins],* September 19, 2017.	NA	NA
*	*	*	*	*	*

[1] Species includes taxonomic species, subspecies, distinct population segments (DPSs) (for a policy statement, see 61 FR 4722, February 7, 1996), and evolutionarily significant units (ESUs) (for a policy statement, see 56 FR 58612, November 20, 1991).

* * * * *

[FR Doc. 2017–19903 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

RIN 0648–XF700

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

ACTION: Notification that the Northeast Distant Area (NED) quota is filled and Atlantic Tunas Longline Category Individual Bluefin Quota (IBQ) accounting rules now apply in the NED.

SUMMARY: NMFS announces that the 25-mt quota available for Atlantic bluefin tuna bycatch (including landings and dead discards) by the Longline category in the Northeast Distant gear restricted

area (NED) was filled on September 12, 2017. NMFS informs vessels fishing in the NED that they now must account for any bluefin tuna bycatch retained or discarded dead using Individual Bluefin Quota (IBQ) allocation available to the vessel.

DATES: This notification is valid from September 12, 2017 to December 31, 2017.

FOR FURTHER INFORMATION CONTACT: Tom Warren or Brad McHale, 978–281–9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of bluefin tuna by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. bluefin tuna quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories per the allocations established in the 2006 Consolidated Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) (71 FR 58058, October 2, 2006), as amended by Amendment 7 to the 2006 Consolidated HMS FMP (Amendment 7) (79 FR 71510, December 2, 2014).

The total U.S. bluefin tuna annual quota from ICCAT includes, as in previous years, a 25-mt set-aside for bluefin tuna bycatch related to pelagic longline fisheries operating in the vicinity of the ICCAT management area boundary. See ICCAT Recommendation 14–05 and 80 FR 52198 (August 28, 2015) (implementing the quota domestically). For management and monitoring purposes, NMFS implements this set-aside in the NED as quota available to Atlantic Tunas Longline category permitted vessels. Longline is not a permitted gear for directed fishing on bluefin tuna; any catch must be incidental to fishing for other species. Accounting for this bycatch includes all catch (landings and dead discards). The NED is defined as the Atlantic Ocean area bounded by straight lines connecting the following coordinates in the order stated: 35°00′ N. lat., 60°00′ W. long.; 55°00′ N. lat., 60°00′ W. long.; 55°00′ N. lat., 20°00′ W. long.; 35°00′ N. lat., 20°00′ W. long.; 35°00′ N. lat., 60°00′ W. long.

The IBQ Program and the Northeast Distant Area (NED)

Under Amendment 7, rules were implemented for Atlantic Tunas Longline category permitted vessels fishing in the NED. See 50 CFR 635.15(b)(8). Any bluefin tuna bycatch by permitted vessels fishing with pelagic longline gear in the NED count toward the ICCAT-allocated separate NED quota (25 mt) until that quota has been filled. Prior to the NED quota being filled, the bluefin tuna accounting requirements of the IBQ Program do not apply to those vessels, under the provisions adopted in Amendment 7. Once the NED quota is filled, Atlantic Tunas Longline category permitted vessels may fish or continue to fish in the NED, but these vessels must then abide by the applicable requirements of the IBQ program, which requires individual vessel accounting for bluefin tuna bycatch using IBQ allocation available to the vessel (either through its own quota share or leasing allocation from another vessel). Bluefin tuna must be accounted for as described at § 635.15(b)(4) and (5).

Based on Atlantic bluefin tuna dealer data and IBQ system data, as of September 12, 2017, 40,763 lb (18.5 mt) of bluefin tuna has been landed, and 254 lb (0.1 mt) of bluefin tuna has been discarded dead in the NED; an additional 21 bluefin tuna have been reported as retained through Vessel Monitoring System (VMS) bluefin tuna catch reports. These 21 retained bluefin tuna reported via VMS equate to approximately 13,230 lb (6.0 mt) of catch (based on the average weight of recently landed bluefin from the NED), which brings the total estimated bluefin tuna catch from the NED to 54,247 lb (24.6 mt). Based on these data, NMFS has determined that the 25 mt set-aside has been filled as of September 12, 2017.

Because the NED quota has been caught, vessels are notified that they must account for any bycatch of bluefin tuna (landings and/or dead discards) in the NED using IBQ allocation as specified in the regulations. § 635.15(b)(8). NMFS has determined that the NED quota of 25 mt was attained as of September 12, 2017. Thus, the IBQ online system will start accounting for bluefin tuna bycatch from the NED utilizing IBQ as of that date.

NMFS will continue to monitor bluefin tuna bycatch by vessels fishing with pelagic longline gear using VMS and dealer data, as well as monitor the accounting for such catch in the IBQ system, to ensure that vessels are accountable for their individual bluefin bycatch and that quotas are managed consistent with the 2006 Consolidated HMS FMP and U.S. international quota obligations. For fishery updates, fishermen may call the Atlantic Tunas Information Line at (888) 872–8862 or (978) 281–9260, access the following internet address: *www.hmspermits.noaa.gov.*

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: September 14, 2017.

Alan D. Risenhoover,

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

[FR Doc. 2017–19914 Filed 9–14–17; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 150121066–5717–02]

RIN 0648–XF699

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

ACTION: Temporary rule; closure of the General category fishery.

SUMMARY: NMFS closes the General category fishery for large medium and giant (*i.e.,* measuring 73 inches curved fork length or greater) Atlantic bluefin tuna (BFT) until the General category reopens on October 1, 2017. This action is being taken to prevent overharvest of the General category September 2017 BFT subquota and help ensure reasonable fishing opportunities in each of the remaining subquota time periods.

DATES: Effective 11:30 p.m., local time, September 17, 2017, through September 30, 2017.

FOR FURTHER INFORMATION CONTACT: Sarah McLaughlin or Brad McHale, 978–281–9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories, per the allocations

established in the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) (71 FR 58058, October 2, 2006) and amendments.

NMFS is required, under § 635.28(a)(1), to file a closure notice with the Office of the Federal Register for publication when a BFT quota (or subquota) is reached or is projected to be reached. On and after the effective date and time of such notification, for the remainder of the fishing year or for a specified period as indicated in the notification, retaining, possessing, or landing BFT under that quota category is prohibited until the opening of the subsequent quota period or until such date as specified in the notice.

The base quota for the General category is 466.7 mt. See § 635.27(a). Each of the General category time periods (January, June through August, September, October through November, and December) is allocated a ''subquota'' or portion of the annual General category quota. Although it is called the ''January'' subquota, the regulations allow the General category fishery under this quota to continue until the subquota is reached or March 31, whichever comes first. The subquotas for each time period are as follows: 24.7 mt for January; 233.3 mt for June through August; 123.7 mt for September; 60.7 mt for October through November; and 24.3 mt for December. Any unused General category quota rolls forward within the fishing year, which coincides with the calendar year, from one time period to the next, and is available for use in subsequent time periods. On December 19, 2016, NMFS published an inseason action transferring 16.3 mt of BFT quota from the December 2017 subquota to the January 2017 subquota period (81 FR 91873). For 2017, NMFS also transferred 40 mt from the Reserve to the General category effective March 2, resulting in an adjusted General category quota of 506.7 mt (82 FR 12747, March 7, 2017).

Based on the best available landings information for the General category BFT fishery (*i.e.,* 81 mt of the available 123.7 mt landed as of September 12, 2017) as well as average catch rates and anticipated fishing conditions, NMFS has determined that the General category September subquota will be reached by September 17, 2017. Therefore, retaining, possessing, or landing large medium or giant BFT by persons aboard vessels permitted in the Atlantic tunas General and HMS Charter/Headboat categories must cease at 11:30 p.m. local time on September 17, 2017. The General category will reopen automatically on October 1, 2017, for the October through November 2017 subperiod and there is additional quota available for December. This action applies to Atlantic tunas General category (commercial) permitted vessels and Highly Migratory Species (HMS) Charter/Headboat category permitted vessels, and is taken consistent with the regulations at § 635.28(a)(1). The intent of this closure is to prevent overharvest of the available General category September BFT subquota and help ensure reasonable fishing opportunities in each of the remaining subquota time periods.

Fishermen may catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. All BFT that are released must be handled in a manner that will maximize their survival, and without removing the fish from the water, consistent with requirements at § 635.21(a)(1). For additional information on safe handling, see the ''Careful Catch and Release'' brochure available at *www.nmfs.noaa.gov/sfa/hms/.* General, HMS Charter/Headboat, Harpoon, and Angling category vessel owners are required to report the catch of all BFT retained or discarded dead, within 24 hours of the landing(s) or end of each trip, by accessing *hmspermits.noaa.gov* or by using the HMS Catch Reporting App.

Classification

The Assistant Administrator for NMFS (AA) finds that it is impracticable and contrary to the public interest to provide prior notice of, and an opportunity for public comment on, this action for the following reasons:

The regulations implementing the 2006 Consolidated HMS FMP and amendments provide for inseason retention limit adjustments and fishery closures to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. These fisheries are currently underway and the quota for the subcategory is projected to be reached shortly. Delaying this action would be contrary to the public interest because the subquota is projected to be reached shortly and any delay could lead to further exceedance, which may result in the need to reduce quota for the General category later in the year and thus could affect later fishing opportunities. Therefore, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment. For all of the above reasons, there also is good cause under 5 U.S.C. 553(d) to waive the 30-day delay in effectiveness.

This action is being taken under 50 CFR 635.28(a)(1), and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: September 13, 2017.

Emily H. Menashes,

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

[FR Doc. 2017–19867 Filed 9–14–17; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 82, No. 180
Tuesday, September 19, 2017

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 AGRICULTURE

Agricultural Marketing Service

7 CFR Part 959

[Doc. No. AMS–SC–17–0040; SC17–959–1 PR]

Onions Grown in South Texas; Increased Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would implement a recommendation from the South Texas Onion Committee (Committee) to increase the assessment rate established for the 2017–18 and subsequent fiscal periods from $0.05 to $0.065 per 50-pound equivalent of onions handled under the marketing order (order). The Committee locally administers the order and is comprised of producers and handlers of onions operating within the area of production. Assessments upon onion handlers are used by the Committee to fund reasonable and necessary expenses of the program. The fiscal period begins August 1 and ends July 31. The assessment rate would remain in effect indefinitely unless modified, suspended, or terminated.

DATES: Comments must be received by October 19, 2017.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or internet: *http://www.regulations.gov.* Comments should reference the document number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.regulations.gov.* All comments submitted in response to this proposed rule will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Doris Jamieson, Marketing Specialist or Christian D. Nissen, Regional Director, Southeast Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (863) 324–3375, Fax: (863) 291–8614, or Email: *Doris.Jamieson@ams.usda.gov* or *Christian.Nissen@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Richard Lower, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202)720–8938, or Email: *Richard.Lower@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This proposed rule is issued under Marketing Order No. 959, as amended (7 CFR part 959), regulating the handling of onions grown in South Texas, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (USDA) is issuing this proposed rule in conformance with Executive Orders 13563 and 13175. This rule does not meet the definition of a significant regulatory action contained in section 3(f) of Executive Order 12866 and is not subject to review by the Office of Management and Budget (OMB). Additionally, because this rule does not meet the definition of a significant regulatory action, it does not trigger the requirements contained in Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017, titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the marketing order now in effect, South Texas onion handlers are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rate as proposed herein would be applicable to all assessable onions beginning on August 1, 2017, and continue until amended, suspended, or terminated.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

This proposed rule would increase the assessment rate established for the Committee for the 2017–18 and subsequent fiscal periods from $0.05 to $0.065 per 50-pound equivalent of onions.

The South Texas onion marketing order provides authority for the Committee, with the approval of USDA, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are producers and handlers of South Texas onions. They are familiar with the Committee's needs and with the costs for goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

For the 2015–16 and subsequent fiscal periods, the Committee recommended, and USDA approved, an assessment rate that would continue in effect from fiscal period to fiscal period unless modified, suspended, or terminated by USDA upon recommendation and information

submitted by the Committee or other information available to USDA.

The Committee met on June 7, 2017, and unanimously recommended 2017–18 expenditures of $149,807, the same as budgeted last fiscal year, and an assessment rate of $0.065 per 50-pound equivalent of onions. The assessment rate of $0.065 is $0.015 higher than the rate currently in effect. The Committee recommended the increase so assessments would be sufficient to cover the Committee's anticipated expenditures while providing additional funds to help replenish the Committee's reserve fund, which has been depleted due to declines in production. With the Committee's recommended $0.015 increase and estimated shipments of approximately three million 50-pound equivalents, assessment income should be approximately $195,000.

The major expenditures recommended by the Committee for the 2017–18 fiscal year include $50,000 for compliance, $37,050 for administrative, and $32,942 for management costs. Budgeted expenses for these items were the same in 2016–17.

The assessment rate recommended by the Committee was derived by considering anticipated expenses, expected shipments of South Texas onions, and the level of funds in reserve. As mentioned earlier, onion shipments for the year are estimated at three million 50-pound equivalents, which should provide $195,000 in assessment income. Income derived from handler assessments would be adequate to cover budgeted expenses. The Committee currently has no money in reserves.

The proposed assessment rate would continue in effect indefinitely unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Committee or other available information.

Although this assessment rate would be in effect for an indefinite period, the Committee would continue to meet prior to or during each fiscal period to recommend a budget of expenses and consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or USDA. Committee meetings are open to the public, and interested persons may express their views at these meetings. USDA would evaluate Committee recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking would be undertaken as necessary. The Committee's 2017–18 budget and those for subsequent fiscal periods would be reviewed and, as appropriate, approved by USDA.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), the Agricultural Marketing Service (AMS) has considered the economic impact of this proposed rule on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 60 producers of onions in the production area and approximately 30 handlers subject to regulation under the marketing order. Small agricultural producers are defined by the Small Business Administration as those having annual receipts less than $750,000, and small agricultural service firms are defined as those whose annual receipts are less than $7,500,000 (13 CFR 121.201).

Based on information from the National Agricultural Statistics Service, the weighted grower price for South Texas onions during the 2015–16 season was around $12.30 per 50-pound equivalent. According to Committee data, total shipments were around three million 50-pound equivalents. Using the weighted average price and shipment information, and assuming a normal distribution, the majority of producers would have annual receipts of less than $750,000. The average handler price for South Texas onions during the 2015–16 season was around $14.05 per 50-pound equivalent. Using the average price and shipment information, the number of handlers, and assuming a normal distribution, the majority of handlers would have average annual receipts of less than $7,500,000. Thus, the majority of South Texas onion producers and handlers may be classified as small entities.

This proposal would increase the assessment rate collected from handlers for the 2017–18 and subsequent fiscal periods from $0.05 to $0.065 per 50-pound equivalent of Texas onions. The Committee unanimously recommended 2017–18 expenditures of $149,807 and an assessment rate of $0.065 per 50-pound equivalent. The proposed assessment rate of $0.065 is $0.015 higher than the 2016–17 rate. The quantity of assessable onions for the 2017–18 fiscal period is estimated at three million 50-pound equivalents. Thus, the $0.065 rate should provide $195,000 in assessment income and be adequate to meet this year's expenses.

The major expenditures recommended by the Committee for the 2017–18 year include $50,000 for compliance, $37,050 for administrative, and $32,942 for management. Budgeted expenses for these items were the same in 2016–17.

With the 2017–18 crop estimated to be three million 50-pound equivalents, the current assessment rate would be sufficient to cover the Committee's anticipated expenditures but would not provide any additional monies to help replenish the Committee's reserve fund, which has been depleted due to declines in production. The Committee considered the proposed expenses and the state of the reserve fund and recommended the assessment increase. With the Committee's recommended $0.015 increase, assessment income should be approximately $195,000 and be adequate to cover anticipated expenses and add funds to the authorized reserve.

Prior to arriving at this budget and assessment rate, the Committee considered information from various sources, such as the Committee's Budget and Personnel Committee. Alternative expenditure levels were discussed by these groups, based upon the relative value of various activities to the South Texas onion industry. The Committee ultimately determined that 2017–18 expenditures of $149,807 were appropriate, and the recommended assessment rate would generate sufficient revenue to meet its expenses.

A review of historical information and preliminary information pertaining to the upcoming fiscal period indicates that the grower price for the 2017–18 season could be around $12.00 per 50-pound equivalent of Texas onions. Therefore, the estimated assessment revenue for the 2017–18 fiscal period as a percentage of total grower revenue could be about 0.5 percent.

This action would increase the assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be offset by the benefits derived by the operation of the marketing order. In addition, the Committee's meeting was widely publicized throughout the South Texas onion industry, and all interested

persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the June 7, 2017, meeting was a public meeting, and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this proposed rule, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0178 (Vegetable and Specialty Crops). No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would impose no additional reporting or recordkeeping requirements on either small or large South Texas onion handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, 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.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this action.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/rules-regulations/moa/small-businesses.* Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 30-day comment period is provided to allow interested persons to respond to this proposed rule. Thirty days is deemed appropriate because: (1) The 2017–18 fiscal period begins on August 1, 2017, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable onions handled during such fiscal period; (2) the Committee needs to have sufficient funds to pay its expenses, which are incurred on a continuous basis; and (3) handlers are aware of this action, which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years.

List of Subjects in 7 CFR Part 959

Marketing agreements, Onions, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 959 is proposed to be amended as follows:

PART 959—ONIONS GROWN IN SOUTH TEXAS

■ 1. The authority citation for 7 CFR part 959 continues to read as follows:

Authority: 7 U.S.C. 601–674.

Subpart A—[Amended]

■ 2. Designate the subpart labeled ''Order Regulating Handling'' as subpart A.

Subpart B—Administrative Provisions

■ 3. Designate the subpart labeled ''Rules and Regulations'' as subpart B and revise the heading as shown above.

Subparts "Assessment Rates" and "Handling Regulations"—[Amended]

■ 4. Remove the subpart headings ''Assessment Rates'' and ''Handling Regulations''.

■ 5. Transfer §§ 959.237 and 959.322 to subpart B.

■ 6. Section 959.237 is revised to read as follows:

§ 959.237 Assessment rate.

On and after August 1, 2017, an assessment rate of $0.065 per 50-pound equivalent is established for South Texas onions.

Dated: September 12, 2017.

Bruce Summers,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2017–19690 Filed 9–18–17; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0812; Product Identifier 2016–NM–198–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus 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 Airbus Model A330–200 series airplanes, Model A330–200 Freighter series airplanes, and Model A330–300 series airplanes. This proposed AD was prompted by an evaluation by the design approval holder (DAH) indicating that certain fuselage structures are subject to widespread fatigue damage (WFD). This proposed AD would require reinforcement modifications of various structural parts of the fuselage, and related investigative and corrective actions if necessary. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by November 3, 2017.

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 NPRM, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email *airworthiness.A330–A340@airbus.com;* Internet *http://www.airbus.com.* You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0812; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1138; fax 425–227–1149.

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–2017–0812; Product Identifier 2016–NM–198–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

Fatigue damage can occur locally, in small areas or structural design details, or globally, in widespread areas. Multiple-site damage is widespread damage that occurs in a large structural element such as a single rivet line of a lap splice joining two large skin panels. Widespread damage can also occur in multiple elements such as adjacent frames or stringers. Multiple-site damage and multiple-element damage cracks are typically too small initially to be reliably detected with normal inspection methods. Without intervention, these cracks will grow, and eventually compromise the structural integrity of the airplane. This condition is known as widespread fatigue damage. It is associated with general degradation of large areas of structure with similar structural details and stress levels. As an airplane ages, WFD will likely occur, and will certainly occur if the airplane is operated long enough without any intervention.

The FAA's WFD final rule (75 FR 69746, November 15, 2010) became effective on January 14, 2011. The WFD rule requires certain actions to prevent structural failure due to WFD throughout the operational life of certain existing transport category airplanes and all of these airplanes that will be certificated in the future. For existing and future airplanes subject to the WFD rule, the rule requires that DAHs establish a limit of validity (LOV) of the engineering data that support the structural maintenance program. Operators affected by the WFD rule may not fly an airplane beyond its LOV, unless an extended LOV is approved.

The WFD rule (75 FR 69746, November 15, 2010) does not require identifying and developing maintenance actions if the DAHs can show that such actions are not necessary to prevent WFD before the airplane reaches the LOV. Many LOVs, however, do depend on accomplishment of future maintenance actions. As stated in the WFD rule, any maintenance actions necessary to reach the LOV will be mandated by airworthiness directives through separate rulemaking actions.

In the context of WFD, this action is necessary to enable DAHs to propose LOVs that allow operators the longest operational lives for their airplanes, and still ensure that WFD will not occur. This approach allows for an implementation strategy that provides flexibility to DAHs in determining the timing of service information development (with FAA approval), while providing operators with certainty regarding the LOV applicable to their airplanes.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2016–0207, dated October 19, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for all Airbus Model A330–200 series airplanes, Model A330–200 Freighter series airplanes, and Model A330–300 series airplanes. The MCAI states:

> An analysis conducted on A330 aeroplanes identified structural areas which are susceptible to widespread fatigue damage (WFD).
>
> This condition, if not corrected, could lead to crack initiation and undetected propagation, leading to reduced structural integrity of the aeroplane, possibly resulting in rapid depressurisation and consequent injury to occupants.
>
> To address this potential unsafe condition, Airbus developed a number of modifications (Mod) and published associated Service Bulletins (SB) for embodiment in service, to provide instructions to reinforce the various structural parts of the fuselage.
>
> For the reasons described above, this [EASA] AD requires accomplishment of these modifications and reinforcements [and related investigative and corrective actions].

Related investigative actions include a rotating probe hole inspection for cracking. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0812.

Related Service Information Under 1 CFR Part 51

Airbus has issued the following service information. This service information describes procedures for modifications and reinforcement of various structural parts of the fuselage. These documents are distinct since they apply to different airplane models in different configurations.

- Airbus Service Bulletin A330–53–3144, Revision 01, dated July 25, 2006.
- Airbus Service Bulletin A330–53–3144, Revision 04, dated November 23, 2015.
- Airbus Service Bulletin A330–53–3222, Revision 01, dated March 31, 2016.
- Airbus Service Bulletin A330–53–3223, Revision 00, dated January 19, 2015.
- Airbus Service Bulletin A330–53–3224, Revision 01, excluding Appendix 01 and including Appendix 02, dated April 14, 2016.
- Airbus Service Bulletin A330–53–3225, Revision 02, excluding Appendix 01 and including Appendix 02, dated June 8, 2016.
- Airbus Service Bulletin A330–53–3226, Revision 02, excluding Appendix 01 and including Appendices 02, 03, and 04, dated October 27, 2016.
- Airbus Service Bulletin A330–53–3236, Revision 02, excluding Appendix 01 and including Appendices 02 and 03, dated March 23, 2016.
- Airbus Service Bulletin A330–53–3237, Revision 01, dated February 8, 2016.
- Airbus Service Bulletin A330–53–3238, Revision 01, dated October 19, 2015.
- Airbus Service Bulletin A330–53–3239, Revision 01, dated July 4, 2016.
- Airbus Service Bulletin A330–53–3244, Revision 01, dated August 2, 2016.
- Airbus Service Bulletin A330–53–3248, Revision 02, dated July 27, 2016.
- Airbus Service Bulletin A330–53–3251, Revision 01, dated June 23, 2016.
- Airbus Service Bulletin A330–53–3252, Revision 01, dated June 30, 2016.
- Airbus Service Bulletin A330–53–3257, Revision 01, dated March 15, 2016.
- Airbus Service Bulletin A330–53–3258, Revision 00, dated April 20, 2015.
- Airbus Service Bulletin A330–53–3259, Revision 02, dated July 18, 2016.
- Airbus Service Bulletin A330–53–3263, Revision 01, excluding Appendix 01 and including Appendix 02, dated December 1, 2015.

• Airbus Service Bulletin A330–53–3273, Revision 00, dated September 28, 2016.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

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 these same type designs.

Explanation of Compliance Time

The compliance time for the reinforcement modifications specified in this proposed AD for addressing WFD was established to ensure that discrepant structure is addressed before WFD develops in airplanes. Standard inspection techniques cannot be relied on to detect WFD before it becomes a hazard to flight. We will not grant any extensions of the compliance time to complete any AD-mandated service bulletin related to WFD without extensive new data that would substantiate and clearly warrant such an extension.

Costs of Compliance

We estimate that this proposed AD affects 99 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
Reinforcement modifications	Up to 317 work-hours × $85 per hour = $26,945.	Up to $41,050	Up to $67,995	Up to $6,731,505.

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

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

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):

Airbus: Docket No. FAA–2017–0812; Product Identifier 2016–NM–198–AD.

(a) Comments Due Date

We must receive comments by November 3, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the Airbus airplanes identified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD, certificated in any category, all manufacturer serial numbers.

(1) Model A330–201, –202, –203, –223, and –243 airplanes.

(2) Model A330–223F and –243F airplanes.

(3) Model A330–301, –302, –303, –321, –322, –323, –341, –342, and –343 airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Reason

This AD was prompted by an evaluation by the design approval holder (DAH) indicating that certain fuselage structures are subject to widespread fatigue damage (WFD). We are issuing this AD to prevent crack initiation and undetected propagation in the fuselage, 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) Modifications

Except as specified in paragraphs (i)(1) and (i)(2) of this AD, before exceeding the applicable total flight cycles or total flight

hours structural modification point (SMP) for each action, as specified in table 1 to paragraph (g) of this AD: Modify the airplane, including all applicable related investigative actions and corrective actions, based on the weight variant (WV) group designations specified in table 2 to paragraph (h) of this AD, and as specified in table 1 to paragraph (g) of this AD, except as specified in paragraph (i)(3) of this AD. Do all applicable related investigative actions and corrective actions before further flight. For the purposes of this AD, the short range (SR) and long range (LR) SMPs specified in table 1 to paragraph (g) of this AD must be used.

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

Description of action	Applicability	SMP SR	SMP LR
Improve circumferential joints at frames (FR) 45 and 54 of the fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53-3144, Revision 04, dated November 23, 2015 (''A330–53–3144, R4'').	Group 32A	32,500 total flight cycles	26,600 flight cycles.
	Group 33A	23,700 total flight cycles or 71,300 total flight hours, whichever occurs first.	20,400 total flight cycles
	Group 33B	27,600 total flight cycles or 83,000 total flight hours, whichever occurs first.	23,700 total flight cycles.
	Group 33C	23,300 total flight cycles or 70,000 total flight hours, whichever occurs first.	20,000 total flight cycles.
	Group 33D	22,700 total flight cycles or 68,300 flight hours, whichever occurs first.	19,500 total flight cycles.
Improve splicing area from FR48 to FR53–2 between stringers (STRG) 23 and 26 left hand (LH)/right hand (RH) of the fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–53–3222, Revision 01, dated March 31, 2016 (''A330–53–3222, R1'') (Airbus Modification 204315).	Groups 32A and 32E	23,100 total flight cycles or 80,900 total flight hours, whichever occurs first.	20,900 total flight cycles.
	Group 33A	24,200 total flight cycles or 79,100 total flight hours, whichever occurs first.	21,800 total flight cycles.
	Group 33B	19,700 total flight cycles or 64,300 total flight hours, whichever occurs first.	17,700 total flight cycles.
	Groups 33C, 33D, and 33E.	21,600 total flight cycles or 70,600 flight hours, whichever occurs first.	19,400 total flight cycles.
	A330–200F	27,400 total flight cycles or 82,200 total flight hours, whichever occurs first.	27,400 total flight cycles or 82,200 total flight hours, whichever occurs first.
Reinforce couplings in area FR20—FR25/STRG20 RH—STRG22 RH of the forward fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53-3223, Revision 00, dated January 19, 2015 (''A330-53-3223, R0'').	Groups 32A, 32E, 33B, 33C, 33D and 33E.	30,900 total flight cycles	30,900 total flight cycles.
Reinforce circumferential joint at FR72 of the fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3224, Revision 01, excluding Appendix 01 and including Appendix 02, dated April 14, 2016 (''A330-53–3224, R1'').	Group 33A	29,700 total flight cycles or 89,600 total flight hours, whichever occurs first.	25,500 total flight cycles.
Reinforce circumferential joint at FR58 of the fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3225, Revision 02, excluding Appendix 01 and including Appendix 02, dated June 8, 2016 (''A330-53–3225, R2'').	Group 33A	16,300 total flight cycles or 49,300 total flight hours, whichever occurs first.	13,300 total flight cycles or 90,700 total flight hours, whichever occurs first.
Reinforce circumferential joint between FR53.6—FR53.7 for emergency door TYPE 1 area of the center fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3226, Revision 02, excluding Appendix 01 and including Appendices 02, 03, and 04, dated October 27, 2016 (''A330–53–3226, R2''); or Airbus Service Bulletin A330-53-3273, Revision 00, dated September 28, 2016 (''A330-53-3273, R0'').	Group 32A		21,000 total flight cycles.
		26,100 total flight cycles or 91,600 total flight hours, whichever occurs first.	
	Groups 33C, 33D and 33E.	15,600 total flight cycles or 46,800 total flight hours, whichever occurs first.	12,600 total flight cycles or 84,800 total flight hours, whichever occurs first.
	Group 33A	34,400 total flight cycles	27,800 total flight cycles.
	Group 33B	19,900 total flight cycles or 59,800 total flight hours, whichever occurs first.	16,100 total flight cycles.
	Group 32E	19,900 total flight cycles or 69,900 total flight hours, whichever occurs first.	16,200 total flight cycles.
Reinforce circumferential joint between FR53.6—FR53.7 LH/RH of option emergency door TYPE A area of the center fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–53–3236, Revision 02, excluding Appendix 01 and including Appendices 02 and 03, dated March 23, 2016 (''A330–53–3236, R2'').	Group 33A	30,900 total flight cycles or 93,200 total flight hours, whichever occurs first.	25,400 total flight cycles.
Improve fatigue life of internal center fuselage structure on longitudinal beams above the center wing box, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3237, Revision 01, dated February 8, 2016 (''A330-53–3237, R1'').	Groups 32A, 33A, 33B, 33C, and 33D.	27,300 total flight cycles	27,300 total flight cycles.
	Group 32A	38,400 total flight cycles	38,400 total flight cycles.
Update lower/lateral frame splicing with corner fitting between FR53.3 and FR54 of the center fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3238, Revision 01, dated October 19, 2015 (''A330-53–3238, R1'').	Group 33A	28,800 total flight cycles	28,800 total flight cycles.
	Group 33B	36,200 total flight cycles	36,200 total flight cycles.
	Groups 33C and 33D	34,700 total flight cycles	34,700 total flight cycles.
Reinforce longitudinal butt joints in section 13, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3239, Revision 01, dated July 4, 2016 (''A330-53–3239, R1'').	A330–200F	15,100 total flight cycles	15,100 total flight cycles.
Reinforce circumferential joint at FR31 between STRG 7LH and STRG 8RH of forward fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3244, Revision 01, dated August 2, 2016 (''A330-53–3244, R1'').	A330–200F	15,500 total flight cycles or 46,500 total flight hours, whichever occurs first.	15,500 total flight cycles or 46,500 total flight hours, whichever occurs first.
Reinforce frame couplings in section 13, 14, and 14A of the forward fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3248, Revision 02, dated July 27, 2016 (''A330-53–3248, R2'').	Group 33A	32,000 total flight cycles	32,000 total flight cycles.

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

Description of action	Applicability	SMP SR	SMP LR
Reinforce circumferential joint/stringer coupling in area of FR37.1 of the forward fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3251, Revision 01, dated June 23, 2016 (''A330-53–3251, R1'').	Group 33C Pre-Modification 46636.	38,200 total flight cycles	32,000 total flight cycles.
	Groups 33C and 33D Post-Modification 46636.	30,600 total flight cycles or 99,500 total flight hours, whichever occurs first.	27,600 total flight cycles.
	Group 33E	32,200 total flight cycles	29,100 total flight cycles.
Reinforce circumferential joint/stringer coupling in area of FR37.1 of the forward fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3252, Revision 01, dated June 30, 2016 (''A330-53–3252, R1'').	Groups 33C and 33D, Post-Modification 46636.	30,600 total flight cycles or 99,500 total flight hours, whichever occurs first.	27,600 total flight cycles.
	Group 33E	32,200 total flight cycles	29,100 total flight cycles.
Reinforce frame couplings in rear area of the fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–53–3257, Revision 01, dated March 15, 2016 (''A330-53–3257, R1'').	Groups 33A and 33B	24,000 total flight cycles	24,000 total flight cycles.
Reinforce corner fittings in section 13 of the forward fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53-3258, Revision 00, dated April 20, 2015 (''A330-53-3258, R0'').	Group 32A	31,800 total flight cycles	31,800 total flight cycles.
Reinforce circumferential joint at FR58 (aeroplane Post-Modification 40556/D18255) of the rear fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3259, Revision 02, dated July 18, 2016 (''A330-53–3259, R2'').	Group 32E	18,500 total flight cycles or 65,400 total flight hours, whichever occurs first.	14,600 total flight cycles or 95,700 total flight hours, whichever occurs first.
	Group 33A	34,800 total flight cycles	28,400 total flight cycles.
	Group 33B	33,500 total flight cycles	27,400 total flight cycles.
Reinforce frames in rear area of the fuselage, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330-53–3263, Revision 01, excluding Appendix 01 and including Appendix 02, dated December 1, 2015 (''A330-53–3263, R1'').	Groups 32A, 32E, 33B, 33C, 33D, and 33E.	23,300 total flight cycles or 69,700 total flight hours, whichever occurs first.	20,800 total flight cycles.

(h) Weight Variant (WV) Group Designations

For the purposes of this AD, table 2 to paragraph (h) of this AD identifies the WV group designations specified in the ''Applicability'' column of Table 1 to paragraph (g) and Table 3 to paragraph (i) of this AD:

TABLE 2 TO PARAGRAPH (h) OF THIS AD—WV GROUP DESIGNATIONS

Airplane model	WV group	Weight variants
A330–200	Group 32A	020, 021, 022, 023, 024, 025, 026, and 027.
	Group 32E	050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 080, 081, 082, and 083.
A330–200F	N/A	000, 001, and 002.
A330–300	Group 33A	000, 001, 002, 003, and 004.
	Group 33B	010, 011, 012, 013, and 014.
	Group 33C	020, 024, 025, 026, and 027.
	Group 33D	022.
	Group 33E	030, 031, 032, 033, 034, 035, 039, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 080, 081, 082, and 083.

(i) Exceptions to Service Information and Compliance Times

(1) Do not do the applicable modifications required by paragraph (g) of this AD before the applicable times specified in table 3 to paragraph (i) of this AD. Where two limits (total flight cycles and total flight hours) within the same sub-row of the table are specified, both times must be exceeded before accomplishment of the modification. For airplanes already modified before the threshold specified in table 3 to paragraph (i) of this AD is reached, within 6 months after the effective date of this AD, obtain instructions for additional maintenance tasks (modifications/inspections) from and approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA), and accomplish those tasks within the compliance time specified therein.

(2) For airplanes that have already reached or exceeded the SMP threshold(s), as specified for each action in table 1 to paragraph (g) of this AD, as applicable, accomplishment of the modification can be deferred for a period not exceeding 12 months after the effective of this AD; except for accomplishment of the modifications specified in A330–53–3237, R1, which can be deferred for a period not exceeding 15 months after the effective date of this AD.

(3) If any service information specified in paragraph (g) or (j) of this AD specifies to contact Airbus for appropriate action: Before further flight, accomplish corrective actions in accordance with the procedures specified in paragraph (l)(2) of this AD.

TABLE 3 TO PARAGRAPH (i) OF THIS AD —COMPLIANCE TIME LOWER THRESHOLD

Airbus Service Bulletin (modification)	Applicability	Modification not before:
A330–53–3222, R1	Groups 32A, 32E, 33A, 33C, 33D and 33E.	10,000 total flight cycles.
	Group 33B	12,000 total flight cycles.
	A330–200F	8,900 total flight cycles and 26,600 total flight hours.
A330–53–3224, R1	Group 33A	10,000 total flight cycles and 6,600 total flight hours.
A330–53–3225, R2	Group 33A	3,900 total flight cycles and 10,200 total flight hours.
A330–53–3237, R1	Groups 32A, 33A, 33B, 33C, and 33D.	3,900 total flight cycles.
A330–53–3238, R1	Groups 32A, 33A, 33B, 33C, and 33D.	9,000 total flight cycles.

(j) Additional Work for Certain Airplanes

For airplanes that have been modified before the effective date of this AD, in accordance with Airbus Service Bulletin A330–53–3144, Revision 00, dated August 23, 2005; Airbus Service Bulletin A330–53–3222, Revision 00, dated January 15, 2015; or Airbus Service Bulletin A330–53–3237, Revision 00, dated January 15, 2015, as applicable: Within 12 months after the effective date of this AD, accomplish the additional work specified in the Accomplishment Instructions of Airbus Service Bulletin A330–53–3144, Revision 01, dated July 25, 2006; A330–53–3222, R1; and A330–53–3237, R1; as applicable.

(k) Credit for Previous Actions

This paragraph provides credit for applicable actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the applicable service information specified in paragraphs (k)(1) through (k)(19) of this AD.

(1) Airbus Service Bulletin A330–53–3144, Revision 01, dated July 25, 2006.

(2) Airbus Service Bulletin A330–53–3144, Revision 02, dated April 20, 2011.

(3) Airbus Service Bulletin A330–53–3144, Revision 03, dated January 15, 2015.

(4) Airbus Service Bulletin A330–53–3224, Revision 00, dated January 16, 2015.

(5) Airbus Service Bulletin A330–53–3225, Revision 00, dated January 16, 2015.

(6) Airbus Service Bulletin A330–53–3225, Revision 01, dated February 26, 2016.

(7) Airbus Service Bulletin A330–53–3226, Revision 00, dated January 15, 2015.

(8) Airbus Service Bulletin A330–53–3226, Revision 01, dated March 3, 2016.

(9) Airbus Service Bulletin A330–53–3236, Revision 00, dated January 15, 2015.

(10) Airbus Service Bulletin A330–53–3236, Revision 01, dated August 24, 2015.

(11) Airbus Service Bulletin A330–53–3238, Revision 00, dated January 15, 2015.

(12) Airbus Service Bulletin A330–53–3239, Revision 00, dated April 20, 2015.

(13) Airbus Service Bulletin A330–53–3244, Revision 00, dated April 7, 2015.

(14) Airbus Service Bulletin A330–53–3251, Revision 00, dated May 13, 2015.

(15) Airbus Service Bulletin A330–53–3252, Revision 00, dated April 10, 2015.

(16) Airbus Service Bulletin A330–53–3257, Revision 00, dated July 21, 2015.

(17) Airbus Service Bulletin A330–53–3259, Revision 00, dated May 11, 2015.

(18) Airbus Service Bulletin A330–53–3259, Revision 01, dated February 26, 2016.

(19) Airbus Service Bulletin A330–53–3263, Revision 00, dated July 21, 2015.

(l) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs): The Manager, International Section, Transport Standards Branch,* 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 Section, send it to the attention of the person identified in paragraph (m)(2) of this AD. 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.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (i) of this AD: If any service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(m) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2016–0207, dated October 19, 2016, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0812.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1138; fax 425–227–1149.

(3) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email *airworthiness.A330–A340@airbus.com;* Internet *http://www.airbus.com.* You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on September 7, 2017.

Jeffrey E. Duven,

Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2017–19760 Filed 9–18–17; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1, 5f, and 46

[REG–125374–16]

RIN 1545–BN60

Guidance on the Definition of Registered Form

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Partial withdrawal of notice of proposed rulemaking and notice of proposed rulemaking.

SUMMARY: This document contains proposed regulations that provide guidance on the definitions of registration-required obligation and registered form, including guidance on

the issuance of pass-through certificates and participation interests in registered form. This document also withdraws a portion of previously proposed regulations regarding the definition of a registration-required obligation. The proposed regulations generally are necessary to address changes in market practices as well as issues raised by the statutory repeal of the foreign-targeted bearer obligation exception to the registered form requirement. The proposed regulations will affect issuers and holders of obligations in registered form as well as issuers and holders of registration-required obligations that are not issued in registered form.

DATES: Comments and requests for a public hearing must be received by December 18, 2017.

ADDRESSES: Send submissions to CC:PA:LPD:PR (REG–125374–16), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand-delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to CC:PA:LPD:PR (REG–125374–16), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224, or sent electronically via the Federal eRulemaking Portal at *www.regulations.gov* (IRS REG–125374–16).

FOR FURTHER INFORMATION CONTACT: Concerning the proposed regulations, Spence Hanemann at (202) 317–6980; concerning submissions of comments and requesting a hearing, Regina Johnson at (202) 317–6901 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The collection of information contained in this notice of proposed rulemaking has been submitted to the Office of Management and Budget for review under control number 1545–0945 in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)). The collection of information in this proposed regulation is in § 1.163–5(b), which permits issuers of registration-required obligations to satisfy the requirement for those obligations to be in registered form by maintaining a book entry system. Sections 163(f) and 149(a) require that certain obligations be in registered form and expressly permit issuers to satisfy that requirement through a book entry system. Accordingly, the proposed regulations permit issuers to satisfy the registration requirement through a book entry system and detail certain arrangements that qualify as book entry systems. The collection of information in proposed § 1.163–5(b) is an increase in the total annual burden under control number 1545–0945. The respondents are businesses and other for-profit organizations, non-profit organizations, and state, local and tribal governments.

Estimated total annual recordkeeping burden: 95,105 hours.

Estimated average annual burden hours per respondent: 0.5 hours.

Estimated number of respondents: 190,210.

Estimated annual frequency of responses: 190,210.

Comments on the collection of information should be sent to the Office of Management and Budget, Attn: Desk Officer for the Department of the Treasury, Office of Information and Regulatory Affairs, Washington, DC 20503, with copies to the Internal Revenue Service, Attn: IRS Reports Clearance Officer, SE:CAR:MP:T:T:SP, Washington, DC 20224. Comments on the collection of information should be received by November 20, 2017.

Comments are specifically requested concerning:

Whether the proposed collection of information is necessary for the proper performance of the Internal Revenue Service, including whether the information will have practical utility;

The accuracy of the estimated burden associated with the proposed collection of information;

How the quality, utility, and clarity of the information to be collected may be enhanced;

How the burden of complying with the proposed collection of information may be minimized, including through the application of automated collection techniques or other forms of information technology; and

Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of service to provide information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by the Office of Management and Budget.

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 section 26 U.S.C. 6103.

Background

This document contains proposed amendments to 26 CFR parts 1, 5f, and 46 under sections 103, 149, 163, 165, 860D, 871, 881, 1287, 4701, 6045, and 6049 of the Internal Revenue Code (Code).

1. In General

The classification of an obligation as in bearer or registered form has significant tax implications because a number of Code provisions impose sanctions on issuers and holders of registration-required obligations that are not issued in registered form. An obligation not issued in registered form is a bearer form obligation. Most of the Code provisions that pertain to registration-required obligations were enacted as part of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), Public Law 97–248, 96 Stat. 324, § 310. Among these provisions, section 163(f) denies an issuer an interest deduction for interest on a registration-required obligation that is not in registered form. Section 4701 imposes an excise tax on the issuer of a registration-required obligation that is not in registered form. The excise tax is equal to 1 percent of the principal amount of the obligation multiplied by the number of calendar years (or portions thereof) between the issue date of the obligation and the date of maturity. Section 149(a) provides that interest on a registration-required bond is not exempt from tax under section 103(a) unless the bond is in registered form. In addition, section 871(h) and section 881(c) exempt from federal income tax portfolio interest from sources within the U.S. received by a nonresident alien or foreign corporation (portfolio interest exception) only if the obligation with respect to which the interest was paid is in registered form. Similar restrictions are found in sections 165(j) (generally denying the holder a deduction for a loss sustained on a registration-required obligation not in registered form), 312(m) (generally providing that the issuer's earnings and profits cannot be decreased by interest paid on a registration-required obligation not in registered form), and 1287 (generally treating the holder's gain on sale of a registration-required obligation not in registered form as ordinary income).

Historically, the Code provisions referenced in the preceding paragraph generally did not apply to obligations that complied with the foreign-targeting rules of prior section 163(f)(2)(B) and § 1.163–5(c) (foreign-targeted bearer obligations). Under the foreign-targeting rules, an issuer could issue foreign-targeted bearer obligations without penalty provided the obligations were issued under arrangements reasonably designed to ensure that the obligations

were sold only to non-U.S. persons. The portfolio interest exception also applied to interest paid on foreign-targeted bearer obligations issued under such reasonably designed arrangements.

The Hiring Incentives to Restore Employment Act (the HIRE Act), Public Law 111–147, 124 Stat. 71, section 502, repealed section 163(f)(2)(B) and generally eliminated the special treatment of foreign-targeted bearer obligations. Foreign-targeted bearer obligations issued after March 18, 2012, are subject to the sanctions on bearer form obligations under sections 149(a), 163(f), 165(j), 312(m), and 1287. The HIRE Act also revoked the portfolio interest exception for foreign-targeted bearer obligations, thus requiring that obligations issued after March 18, 2012, be in registered form to qualify for that exception. The HIRE Act did not, however, repeal the foreign-targeted bearer obligation exception to the excise tax under section 4701. See section 4701(b)(1)(B)(i).

2. Registration-Required Obligations

A. In General

Under section 163(f)(2)(A), as amended by the HIRE Act, the term *registration-required obligation* means any obligation other than an obligation that: (1) Is issued by a natural person; (2) is not of a type offered to the public; or (3) has a maturity at issue of not more than 1 year. For purposes of sections 165(j), 312(m), and 1287, registration-required obligation has the same meaning as when used in section 163(f). See also section 149(a) (providing a similar definition except for the exclusion for instruments issued by a natural person). For purposes of section 4701, that term also has the same meaning as when used in section 163(f), except that tax-exempt bonds and foreign-targeted bearer obligations are excluded.

Section 5f.163–1(b)(2) provides that the determination as to whether an obligation is of a type offered to the public is based on whether similar obligations are in fact publicly offered or traded. On January 21, 1993, the Department of the Treasury (Treasury) and the IRS published in the **Federal Register** (58 FR 5316) a notice of proposed rulemaking (INTL–0115–90) containing proposed regulations that elaborated upon the meaning of ''of a type offered to the public'' for purposes of section 163(f)(2)(A) (the 1993 proposed regulations). See Prop. Treas. Reg. § 5f.163–1(b)(2). The preamble to the 1993 proposed regulations cited the report of the Senate Finance Committee on TEFRA for the conclusion that an obligation that represents a ''readily negotiable substitute for cash'' should be a registration-required obligation. 58 FR 5316 (citing S. Rep. No. 97–494, at 242 (1982)). Treasury and the IRS reasoned in the preamble to the 1993 proposed regulations that, because the standards for determining if an obligation is ''readily tradable in an established securities market'' under section 453(f)(4)(B) and § 15a.453–1(e)(4) address an analogous concern with negotiability, similar standards should apply for determining whether an obligation is ''of a type offered to the public'' under section 163(f)(2)(A).

B. Pass-Through Certificates

Section 1.163–5T provides rules to address whether pass-through certificates are registration-required obligations. In their most common form, pass-through certificates are issued by an investment entity (typically a trust) that holds a pool of obligations, such as mortgage loans. Each pass-through certificate represents an interest in the investment entity.

To accommodate these securitization transactions, § 1.163–5T(d)(1) generally provides that a pass-through certificate evidencing an interest in a pool of mortgage loans that is treated as a trust of which the grantor is the owner is considered to be a registration-required obligation if, standing alone, the pass-through certificate meets the definition of a registration-required obligation. Section 1.163–5T(d)(1) also applies to ''similar evidence of interest in a similar pooled fund or pooled trust treated as a grantor trust,'' although commenters have noted the ambiguity of the reference. Similarly, § 1.871–14(d)(1) provides that interest received on a pass-through certificate qualifies for the portfolio interest exception if, standing alone, the pass-through certificate is in registered form.

Commenters have asked that Treasury and the IRS describe the types of arrangements that qualify as pass-through certificates. Specifically, commenters have requested that Treasury and the IRS amend the definition of a pass-through certificate to clarify that the issuer of a pass-through certificate may be either a grantor trust or another type of entity, such as a partnership or a disregarded entity, so long as the obligations in the pool are held through an arrangement that meets the requirements to be in registered form. Commenters have also requested that Treasury and the IRS amend § 1.871–14(d)(1) so that the definition of pass-through certificate for purposes of the portfolio interest exception is identical to the definition of pass-through certificate under § 1.163–5T(d)(1).

3. Definition of Registered Form

A. In General

For purposes of determining whether an obligation is in registered form under section 163(f),[1] the principles of section 149(a)(3) apply. See section 163(f)(3). Section 149(a)(3)(A) provides that a bond is treated as being in registered form if the right to the principal of, and stated interest on, the bond may be transferred only through a book entry consistent with regulations prescribed by the Secretary. Section 149(a)(3)(B) authorizes the Secretary to prescribe regulations to carry out the requirement that a bond be issued in registered form when there is one or more nominee. For purposes of section 149(a), the conditions for an obligation to be considered in registered form are described in § 5f.103–1(c).[2] The regulations under both section 163(f) and section 871(h), specifically §§ 5f.163–1(a) and 1.871–14(c), refer to § 5f.103–1(c) for a definition of registered form. Obligations that do not meet the conditions described in § 5f.103–1(c) are treated as issued in bearer form.

Generally, under § 5f.103–1(c), an obligation is in registered form if: (1) The obligation is registered as to both principal and any stated interest with the issuer (or its agent) and any transfer of the obligation may be effected only by surrender of the old obligation and reissuance to the new holder; (2) the right to principal and stated interest with respect to the obligation may be transferred only through a book entry system maintained by the issuer or its agent; or (3) the obligation is registered as to both principal and stated interest with the issuer or its agent and may be transferred both by surrender and reissuance and through a book entry system. An obligation is considered transferable through a book entry system if ownership of an interest in the obligation is required to be reflected in a book entry, whether or not physical securities are issued. An obligation that would otherwise be considered to be in registered form is not considered to be in registered form if the obligation may

[1] For purposes of sections 165(j), 312(m), 871(h)(7), 881(c)(7), 1287, and 4701, the term *registered form* has the same meaning as when used in section 163(f).

[2] Section 5f.103–1 was originally published under section 103(j) of the Internal Revenue Code of 1954, which was enacted as part of TEFRA and provided that obligations must be in registered form to be tax-exempt. Section 103(j) was recodified as section 149(a) by section 1301 of the Tax Reform Act of 1986, Public Law 99–514, 100 Stat. 2085.

be converted at any time in the future into an obligation that is not in registered form. See § 5f.103–1(e).

B. Dematerialized Book Entry Systems

Since the publication of § 5f.103–1, market practices have changed with respect to how interests in obligations are recorded and transferred. For example, many obligations trade in fully dematerialized form. An obligation that is fully dematerialized is not represented by a physical (paper) certificate, and a clearing organization that is the registered holder of the obligation operates an electronic book entry system that identifies the clearing organization's member or members holding the obligation (or interests in the obligation). The clearing organization facilitates and records transfers of the obligation (or interests in the obligation) among the clearing organization's members. The members (typically, banks or broker-dealers), in turn, record their clients' ownership of the obligation (or interests in the obligation) in their book entry systems. Alternatively, an obligation may be represented by a physical global certificate that is nominally in bearer form but that is immobilized in a clearing organization, which handles the obligation thereafter exactly as it does an obligation that was fully dematerialized when issued. Commenters have requested additional guidance on how the registered form rules in § 5f.103–1 apply to these arrangements.

Treasury and the IRS provided guidance on how to apply the registered form rules to certain of these arrangements in Notice 2006–99, 2006–2 CB 907. Notice 2006–99 addresses an arrangement in which no physical certificates are issued and under which ownership interests in bonds are required to be represented only by book entries in a dematerialized book entry system maintained by a clearing organization. Notice 2006–99 provides that an obligation issued under such an arrangement is treated as in registered form notwithstanding the ability of holders to obtain physical certificates in bearer form upon the termination of the business of the clearing organization without a successor.

The HIRE Act also addressed dematerialized book entry systems. For obligations issued after March 18, 2012, section 163(f)(3), as amended by the HIRE Act, provides that, for purposes of section 163(f), a dematerialized book entry system or other book entry system specified by the Secretary will be treated as a book entry system described in section 149(a)(3). The Joint Committee on Taxation's technical explanation of the HIRE Act further explained that an obligation ''that is formally in bearer form is treated, for the purposes of section 163(f), as held in a book entry system as long as the debt obligation may be transferred only through a dematerialized book entry system or other book entry system specified by the Secretary.'' J. Comm. on Tax'n, *Technical Explanation of the Revenue Provisions Contained in Senate Amendment 3310, the ''Hiring Incentives to Restore Employment Act,'' Under Consideration by the Senate* (JCX–4–10), Feb. 23, 2010, at 53.

C. Notice 2012–20

Commenters expressed concern that the explicit reference to a ''dematerialized book entry system'' in section 163(f)(3), as amended by the HIRE Act, would create uncertainty about obligations issued in a manner not specifically described in Notice 2006–99. In particular, commenters requested guidance to address the treatment of obligations represented by a physical global certificate that is nominally in bearer form, but that is immobilized in a clearing system. In addition, commenters requested guidance regarding whether an obligation will be considered to be in registered form if holders may obtain physical certificates in bearer form under circumstances not described in Notice 2006–99.

In response to these comments, Treasury and the IRS published Notice 2012–20, 2012–13 IRB 574, on March 26, 2012. Notice 2012–20 provides additional guidance on the definition of registered form and further states that Treasury and the IRS intend to publish regulations consistent with the guidance described in the notice. Under Notice 2012–20, an obligation is considered to be in registered form if it is issued either through a dematerialized book entry system in which beneficial interests are transferable only through a book entry system maintained by a clearing organization (or by an agent of the clearing organization) or through a clearing system in which the obligation is effectively immobilized. Notice 2012–20 provides that an obligation is considered to be effectively immobilized if: (1) The obligation is represented by one or more global securities in physical form that are issued to and held by a clearing organization (or by a custodian or depository acting as an agent of the clearing organization) for the benefit of purchasers of interests in the obligation under arrangements that prohibit the transfer of the global securities except to a successor clearing organization subject to the same terms; and (2) beneficial interests in the underlying obligation are transferable only through a book entry system maintained by the clearing organization (or an agent of the clearing organization). Notice 2012–20 further states that an interest in an obligation is considered to be transferable only through a book entry system if the interest would be considered transferable through a book entry system under § 5f.103–1(c)(2), except that holders may obtain physical certificates in bearer form in certain limited circumstances stated in the notice. Finally, Notice 2012–20 states that, for purposes of determining when an obligation is a registration-required obligation under section 4701, rules identical to the foreign-targeting rules under section 163(f)(2)(B), prior to its amendment by the HIRE Act, and § 1.163–5(c) will apply to obligations issued after March 18, 2012.

Explanation of Provisions

1. In General

Consistent with Notice 2012–20, these proposed regulations amend the definition of registered form to take into account current market practices and changes made by the HIRE Act, including the repeal of the foreign-targeting rules in section 163(f)(2)(B). In addition, these proposed regulations amend the definition of a registration-required obligation in two ways. First, the proposed regulations specify the types of obligations that are treated as ''of a type offered to the public'' and withdraw the 1993 proposed regulations. Second, the proposed regulations take into account comments requesting clarification on the types of arrangements that qualify as pass-through certificates.

Though the definitions of the terms *registered form* and *registration-required obligation* are generally consistent across the various provisions in which they are used, the rules are set forth in a number of existing regulations, including several promulgated under section 163(f). To the extent possible, these proposed regulations simplify the definitions of registered form and registration-required obligation by centralizing the rules in § 1.163–5. Thus, the applicable rules have been relocated from §§ 5f.103–1 (definition of registered form), 1.163–5T (pass-through certificates and regular interests in REMICs), and 5f.163–1 (definition of registration-required obligation) to paragraphs (a) and (b) of proposed § 1.163–5. Appropriate cross-references to § 1.163–5 are proposed to be added to regulations that rely on one or both

definitions, including §§ 1.149(a)–1, 1.165–12, 1.860D–1(b)(5)(i)(A), 1.871–14, 1.1287–1, and 46.4701–1.

2. Registration-Required Obligations

A. Obligation of a Type Offered to the Public

Consistent with the 1993 proposed regulations, Treasury and the IRS continue to believe that it is appropriate to determine whether an obligation is of a type offered to the public by reference to whether the obligation is ''traded on an established market.'' Although a number of Code and regulation sections refer to and define that phrase (for example, sections 453, 1092, 1273, and 7704, as well as the regulations promulgated under those Code sections), Treasury and the IRS have concluded that the definition provided in § 1.1273–2(f) is most appropriate for purposes of defining a registration-required obligation. Thus, the proposed regulations generally treat an obligation as of a type offered to the public if the obligation is traded on an established market as determined under § 1.1273–2(f). For this purpose, however, the proposed regulations do not take into account the exception for small debt issues in § 1.1273–2(f)(6).

B. Pass-Through Certificates and Participation Interests

Commenters indicated that an entity that issues pass-through certificates may hold a pool of debt instruments that is either fixed or that changes over time. For example, the issuing entity may have the right to acquire additional assets after formation, or the right to dispose of assets at any time. In those situations, the entity generally will not be classified as a grantor trust for federal tax purposes, but that does not preclude it from issuing pass-through certificates. To address these situations, the proposed regulations amend the definition of a pass-through certificate to provide that a pass-through certificate may be issued by a grantor trust or a similar fund, and specify that a similar fund includes entities that are partnerships or disregarded for federal tax purposes and funds that have the power to vary the assets they hold or the sequence of payments to holders. A similar fund, however, does not include a business entity classified as a corporation.

In addition, Treasury and the IRS have concluded that an arrangement that satisfies the definition of a registration-required obligation and the registered form rules should be treated the same as a pass-through certificate even if the arrangement is with respect to only one underlying obligation or if the arrangement is treated as co-ownership of one or more obligations (rather than, for purposes of TEFRA or otherwise, ownership of an entity that holds the underlying obligations). The proposed regulations eliminate the requirement that the fund hold a pool of loans and replace it with a requirement that the fund primarily hold debt instruments. Thus, a fund can hold one or more debt instruments, so long as the fund primarily holds debt instruments.

In addition, the proposed regulations treat an interest that evidences co-ownership of one or more obligations (including a participation interest) as a registration-required obligation if, standing alone, the interest satisfies the definition of a registration-required obligation. The proposed regulations also propose to amend § 1.871–14(d)(1) to include a cross-reference to the rules for pass-through certificates and participation interests in proposed § 1.163–5(a)(3)(i) and (ii) such that similar rules apply for purposes of the portfolio interest exception.

3. Definition of Registered Form

The proposed regulations amend the definition of registered form in a number of ways. First, the proposed regulations provide that an obligation is considered to be in registered form if it is transferable through a book entry system, including a dematerialized book entry system, maintained by the issuer of the obligation, an agent of the issuer, or a clearing organization. A clearing organization includes an entity that holds obligations for its members or maintains a system that reflects the ownership interests of members and transfers of obligations among members' accounts without the necessity of physical delivery of the obligation.

Second, the proposed regulations provide that an obligation represented by a physical certificate in bearer form will be considered to be in registered form if the physical certificate is effectively immobilized. To be effectively immobilized, the physical certificate evidencing an obligation must be issued to and held by a clearing organization for the benefit of purchasers of interests in the obligation under arrangements that prohibit the transfer of the physical certificate except to a successor clearing organization and permit transfers of ownership interests in the underlying obligation only through a book entry system maintained by the clearing organization (or a successor clearing organization). As suggested in comments, the proposed regulations change the requirement in Notice 2012–20 that a successor clearing organization hold the physical certificate subject to the same terms as the predecessor; Treasury and the IRS concluded that it is sufficient if the successor clearing organization has rules that effectively immobilize the physical certificate.

Third, the proposed regulations permit holders of obligations (or interests in obligations) to have a right to obtain physical certificates evidencing the obligation (or interests in the obligation) in bearer form without causing the obligation to be treated as not in registered form in two circumstances: (1) A termination of the clearing organization's business without a successor; or (2) the issuance of physical securities at the issuer's request upon a change in tax law that would be adverse to the issuer but for the issuance of physical securities in bearer form. This exception from bearer form treatment is consistent with the guidance provided in Notice 2012–20, except that the proposed regulations do not permit a holder to have a right to obtain a physical bearer certificate if there is an issuer event of default (default exception). Treasury and the IRS understand that in certain situations holders may be required to obtain physical certificates to pursue claims against the issuer, but in such instances it would be appropriate to expect those physical certificates to be issued in registered form. Taxpayers may rely on the default exception in Notice 2012–20 for obligations issued prior to publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**.

After the occurrence of one of the two events described in the first sentence of the preceding paragraph, an obligation will no longer be in registered form if a holder, or a group of holders acting collectively, has a right to obtain a physical certificate in bearer form, regardless of whether any option to obtain a physical certificate in bearer form has actually been exercised.

4. Section 881

Commenters requested that examples 10 and 19 set forth in § 1.881–3(e) be removed or revised to take into account the repeal of the foreign-targeted bearer obligation exception. Consistent with these comments, the proposed regulations propose to remove those examples.

5. Section 4701

Commenters requested clarification on whether the foreign-targeting rules under § 1.163–5(c) would apply to obligations issued after March 18, 2012, for purposes of section 4701. Consistent

with Notice 2012–20, proposed § 46.4701–1 provides that, for purposes of determining whether an obligation is a foreign-targeted bearer obligation, the rules of § 1.163–5(c) apply.

6. Applicability Dates

Notice 2012–20 stated that regulations incorporating the guidance described in that notice will be effective for obligations issued after March 18, 2012. Accordingly, the proposed regulations will generally apply to obligations issued after March 18, 2012. However, taxpayers may apply the rules in section 3 of Notice 2012–20, including the default exception, for obligations issued prior to publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**. The rules related to pass-through certificates, participation interests, and regular interests in REMICs and the rules related to obligations not of a type offered to the public are not described in Notice 2012–20 and, therefore, will apply only to obligations issued after the publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**, except as otherwise provided in the next sentence. The existing regulations under § 5f.103–1 will continue to apply to tax-exempt bonds issued prior to the date 90 days after publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**.

Special Analyses

Certain IRS regulations, including these, are exempt from the requirements of Executive Order 12866, as supplemented and reaffirmed by Executive Order 13563. Therefore, a regulatory impact assessment is not required. It is hereby certified that these regulations will not have a significant economic impact on a substantial number of small entities. Sections 163(f) and 149(a) require that certain obligations be in registered form which is satisfied if the obligations are transferable only through a book entry system. The existing regulations under these sections therefore permit issuers to satisfy the registration requirement through a book entry system and describe the arrangements that are necessary for a system to qualify as a book entry system. Certain systems that are now common, however, may not qualify as book entry systems under the existing regulations. Because the proposed regulations merely clarify that these systems are book entry systems, the proposed regulations would not impose a significant economic impact. Accordingly, a regulatory flexibility analysis is not required. Pursuant to section 7805(f) of the Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small entities.

Comments and Requests for Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any comments that are submitted timely to the IRS as prescribed in this preamble under the **ADDRESSES** heading. Treasury and the IRS request comments on all aspects of the proposed rules. All comments will be available at *www.regulations.gov* or upon request. A public hearing will be scheduled if requested in writing by any person that timely submits written comments. If a public hearing is scheduled, notice of the date, time, and place for the hearing will be published in the **Federal Register**.

Drafting Information

The principal authors of these regulations are Spence Hanemann and Diana Imholtz, Office of Associate Chief Counsel (Financial Institutions and Products), IRS. However, other personnel from Treasury and the IRS participated in their development.

Availability of IRS Documents

The IRS notices cited in this preamble are published in the Internal Revenue Bulletin (or Cumulative Bulletin) and are available from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402, or by visiting the IRS Web site at *www.irs.gov.*

List of Subjects

26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 5f

Income taxes, Reporting and recordkeeping requirements.

26 CFR Part 46

Excise taxes, Insurance, Reporting and recordkeeping requirements.

Partial Withdrawal of Notice of Proposed Rulemaking

Accordingly, under the authority of 26 U.S.C. 7805, 5f.163–1(b)(2) of the notice of proposed rulemaking (INTL–0115–90, subsequently converted to REG–208245–90) that was published in the **Federal Register** (58 FR 5316) on January 21, 1993, is withdrawn.

Proposed Amendments to the Regulations

Accordingly, 26 CFR parts 1, 5f, and 46 are proposed to be amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 is amended by adding entries in numerical order to read in part as follows:

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

Section 1.149(a)–1 also issued under 26 U.S.C. 149(a)(3).

* * * * *

Section 1.163–5 also issued under 26 U.S.C. 163(f)(3).

* * * * *

■ **Par. 2.** Section 1.149(a)–1 is added to read as follows:

§ 1.149(a)–1 Obligations required to be in registered form.

(a) *General rule.* Interest on a registration-required bond shall not be exempt from tax notwithstanding section 103(a) or any other provision of law, exclusive of any treaty obligation of the United States, unless the bond is issued in registered form (as defined in § 1.163–5(b)). For this purpose, registration-required bond has the same meaning as registration-required obligation in § 1.163–5(a)(2).

(b) *Applicability date.* This section applies to bonds issued on or after the date 90 days after the publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**. For bonds issued before the date 90 days after the publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**, see § 5f.103–1 of this chapter.

■ **Par. 3.** Section 1.163–5 is amended by revising the section heading and adding paragraphs (a), (b), and (c)(3)(iii) to read as follows:

§ 1.163–5 Denial of interest deduction on certain obligations unless issued in registered form.

(a) *Denial of deduction*—(1) *In general.* No deduction shall be allowed a taxpayer under section 163 for interest paid or accrued on a registration-required obligation (as defined in section 163(f) and paragraph (a)(2) of this section) unless such obligation is issued in registered form (as defined in paragraph (b) of this section). An obligation that is not in registered form under paragraph (b) of this section is an obligation in bearer form.

(2) *Registration-required obligation*—(i) *In general.* The term *registration-required obligation* means any obligation (including a pass-through

certificate or participation interest described in paragraph (a)(3) of this section and a regular interest in a REMIC described in paragraph (a)(4) of this section) other than—

(A) An obligation issued by a natural person;

(B) An obligation not of a type offered to the public (as described in paragraph (a)(2)(ii) of this section); or

(C) An obligation that has a maturity at the date of issue of not more than 1 year.

(ii) *Obligation not of a type offered to the public.* For purposes of section 163(f)(2)(A)(ii) and paragraph (a)(2)(i)(B) of this section, an obligation is not of a type offered to the public unless the obligation is traded on an established market as determined under § 1.1273–2(f) without regard to § 1.1273–2(f)(6).

(3) *Pass-through certificates and participation interests*—(i) *Pass-through certificate*—(A) *In general.* A pass-through certificate is considered to be a registration-required obligation if the pass-through certificate is described in paragraph (a)(2)(i) of this section without regard to whether any obligation held by the entity to which the pass-through certificate relates is described in paragraph (a)(2)(i) of this section.

(B) *Definition of pass-through certificate.* For purposes of paragraph (a) of this section, a *pass-through certificate* is an instrument evidencing an interest in a grantor trust under Subpart E of Part I of Subchapter J of the Code, or a similar fund, that principally holds debt instruments. For purposes of this paragraph (a)(3)(i)(B), a similar fund includes an entity that, under §§ 301.7701–1 through 301.7701–3 of this chapter, is disregarded as an entity separate from its owner or classified as a partnership for federal tax purposes, without regard to whether the fund has the power to vary the assets in the fund or the sequence of payments made to holders. In addition, for purposes of this paragraph (a)(3)(i)(B), a similar fund does not include a business entity that is classified as a corporation under § 301.7701–2 of this chapter.

(ii) *Participation interest.* A participation interest that evidences ownership of some or all of one or more obligations and that is treated as conveying ownership of a specified portion of the obligation or obligations (and not ownership of an entity treated as created under § 301.7701–1(a)(2) of this chapter) is considered to be a registration-required obligation if the participation interest is described in paragraph (a)(2)(i) of this section without regard to whether any obligation to which the participation interest relates is described in paragraph (a)(2)(i) of this section.

(iii) *Treatment of obligation held by a trust or fund.* An obligation held by a trust or a fund in which ownership interests are represented by pass-through certificates is considered to be in registered form or to be a registration-required obligation if the obligation held by the trust or fund is in registered form (as defined in paragraph (b) of this section) or is a registration-required obligation described in paragraph (a)(2)(i) of this section, without regard to whether the pass-through certificates are so considered.

(iv) *Examples.* The application of paragraph (a)(3) of this section may be illustrated by the following examples:

Example 1. Fund, a partnership under the laws of the state in which it is organized, acquires a pool of student loans. The student loans are issued by natural persons and, therefore, are not registration-required obligations as described in paragraph (a)(2)(i) of this section. Fund contributes the student loans to Trust, a business trust under the laws of the state in which Trust is organized. Trust has the power to vary the investments in Trust, and is not treated as a trust of which the grantor is the owner under Subpart E of Part I of Subchapter J of the Code. Trust issues certificates evidencing an interest in Trust. The certificates issued by Trust are offered to the public. The certificates issued by Trust are pass-through certificates (as described in paragraph (a)(3)(i)(B) of this section) and are described in paragraph (a)(2)(i) of this section, and thus, are registration-required obligations described in paragraph (a)(2)(i) of this section, even though the student loans held by Trust are not registration-required obligations.

Example 2. Partnership U purchases a building from Partnership V. Partnership U makes a cash down payment and issues a note secured by a mortgage in the building to Partnership V for the remaining purchase price of the building. The note is not a registration-required obligation described in paragraph (a)(2)(i) of this section because it is not an obligation of a type offered to the public. Partnership V offers participations in the underlying note to the public. Under the terms of the participation, each participant will own an interest in the note that will entitle the participant to a specified portion of the interest and principal generated by the note. The participation is a participation interest described in paragraph (a)(3)(ii) of this section and is described in paragraph (a)(2)(i) of this section, and, thus, is a registration-required obligation described in paragraph (a)(2)(i) of this section, even though the underlying note is not a registration-required obligation.

(4) *REMICs*—(i) *Regular interest in a REMIC.* A regular interest in a REMIC, as defined in sections 860D and 860G and the regulations thereunder, is considered to be a registration-required obligation if the regular interest is described in paragraph (a)(2)(i) of this section, without regard to whether one or more of the obligations held by the REMIC to which the regular interest relates is described in paragraph (a)(2)(i) of this section.

(ii) *Treatment of obligation held by a REMIC.* An obligation described in paragraph (a)(2)(i) of this section and held by a REMIC is treated as a registration-required obligation regardless of whether the regular interests in the REMIC are so treated.

(5) *Applicability date*—(i) *In general.* Except as otherwise provided in paragraphs (a)(5)(ii) and (iii) of this section, paragraph (a) of this section applies to obligations issued after March 18, 2012. For obligations issued on or before March 18, 2012, see § 5f.163–1 of this chapter.

(ii) *Obligations not of a type offered to the public.* Paragraph (a)(2)(ii) of this section applies to obligations issued after the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**.

(iii) *Pass-through certificates, participation interests, and regular interests in REMICs.* Paragraph (a) of this section applies to pass-through certificates, participation interests, and regular interests in REMICs issued after the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**. For pass-through certificates or regular interests in REMICs issued on or before the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**, see § 1.163–5T.

(b) *Registered form*—(1) *General rule.* Except as provided in paragraph (b)(4) of this section, an obligation is in registered form if a transfer of the right to receive both principal and any stated interest on the obligation may be effected only—

(i) By surrender of the old obligation and either the reissuance of the old obligation to the new holder or the issuance of a new obligation to the new holder;

(ii) Through a book entry system (as described in paragraph (b)(2) of this section) maintained by the issuer of the obligation (or its agent) or by a clearing organization (as defined in paragraph (b)(3) of this section); or

(iii) Through both of the methods described in paragraphs (b)(1)(i) and (ii) of this section.

(2) *Book entry system*—(i) *In general.* An obligation will be considered transferable through a book entry system, including a dematerialized book entry system, if ownership of the obligation or an interest in the

obligation is required to be recorded in an electronic or physical register maintained by the issuer of the obligation (or its agent) or by a clearing organization (as defined in paragraph (b)(3) of this section).

(ii) *Book entry system maintained by clearing organization that effectively immobilizes a bearer form obligation.* An obligation represented by one or more physical certificates in bearer form will be considered to be in registered form if the physical certificates are effectively immobilized. A physical certificate is effectively immobilized only if—

(A) The physical certificate is issued to and held by a clearing organization (as defined in paragraph (b)(3) of this section) for the benefit of purchasers of interests in the obligation under arrangements that prohibit the transfer of the physical certificate except to a successor clearing organization subject to terms that effectively immobilize the physical certificate, as provided in paragraph (b)(2)(ii) of this section, in the hands of the successor clearing organization; and

(B) Ownership of the obligation or an interest in the obligation is transferable only through a book entry system (as described in paragraph (b)(2)(i) of this section) maintained by the clearing organization (as defined in paragraph (b)(3) of this section).

(3) *Definition of clearing organization.* For purposes of paragraph (b) of this section, *clearing organization* means an entity that is in the business of holding obligations for or reflecting the ownership interests of member organizations and transferring obligations among such member organizations by credit or debit to the account of a member organization without the necessity of physical delivery of the obligation.

(4) *Temporal limitations on registered form*—(i) *In general.* Except as provided in paragraphs (b)(4)(ii) and (iii) of this section, an obligation is not considered to be in registered form as of a particular time if the obligation may be transferred at that time or at a time or times on or before the maturity of the obligation by any means not described in paragraph (b)(1) of this section.

(ii) *Events that permit issuance of physical certificates in bearer form*—(A) *In general.* An obligation transferrable through a dematerialized book entry system is not in bearer form pursuant to paragraph (b)(4)(i) of this section solely because a holder of the obligation (or an interest therein) has a right to obtain a physical certificate in bearer form upon the occurrence of one or both of the following events—

(*1*) A termination of business without a successor by the clearing organization that maintains the book entry system; or

(*2*) The issuance of physical securities at the issuer's request upon a change in tax law that would be adverse to the issuer but for the issuance of physical securities in bearer form.

(B) *Treatment upon issuance of physical certificate in bearer form.* Upon the occurrence of one or both of the events described in paragraph (b)(4)(ii)(A) of this section, any obligation with respect to which a holder, or a group of holders acting collectively, may obtain a physical certificate in bearer form will no longer be in registered form, regardless of whether a physical certificate in bearer form has actually been issued.

(iii) *Obligations in registered form until maturity.* An obligation that as of a particular time is not considered to be in registered form because the obligation may be transferred at a time or times before the maturity of the obligation by a means not described in paragraph (b)(1) of this section and that during the period beginning at a later time and ending at maturity may be transferred only by a means described in paragraph (b)(1) of this section is considered to be in registered form during the period beginning at that later time.

(5) *Examples.* The application of paragraph (b) of this section may be illustrated by the following examples:

Example 1. X issues an obligation that is a registration-required obligation as described in paragraph (a)(2)(i) of this section. At issuance, X issues the obligation in the purchaser's name evidencing the purchaser's ownership of the principal and interest under the obligation. The purchaser may transfer the obligation only by surrendering the obligation to X and by X issuing a new instrument to the new holder. X's obligation is issued in registered form under paragraph (b)(1) of this section.

Example 2. Corporation A issues US$500 million of debt (the Note) evidenced by a physical certificate that is registered in the name of ABC, a clearing organization (as defined in paragraph (b)(3) of this section). Under the terms of the Note, Corporation A must maintain an electronic register identifying the owners of interests in the Note, and a transfer of the right to receive either principal or any stated interest on such ownership interests may be effected only through a change to the electronic register. Pursuant to an agreement with Corporation A, ABC takes custody of the physical certificate evidencing the Note and receives all principal and interest on the Note from Corporation A. Independently of its agreement with Corporation A, ABC maintains electronic records of its members' ownership interests in the Note and distributes principal and interest to members' accounts in accordance with those interests. ABC's members, in turn, maintain electronic records of their customers' ownership interests in the Note and similarly distribute principal and interest to their customers' accounts. Corporation A's electronic register identifies ABC as the sole owner of the Note. Corporation A does not record transfers of ownership interests in the Note to or among ABC's members, and ABC does not record transfers of ownership interests in the Note to or among its members' customers. Corporation A's electronic register is a book entry system as described in paragraph (b)(2)(i) of this section, and the Note is in registered form under paragraph (b)(1) of this section.

Example 3. The facts are the same as in *Example 2* of paragraph (b)(5) of this section, except that, instead of maintaining an electronic register, Corporation A issues a global bearer certificate (Certificate) to ABC pursuant to an agreement that prohibits the transfer of Certificate except to a successor clearing organization subject to terms that effectively immobilize Certificate, as provided in paragraph (b)(2)(ii) of this section, in the hands of the successor clearing organization. Further, holders of interests in Certificate may only obtain physical bearer certificates upon cessation of ABC's operations without a successor or, at Corporation A's request, upon a change in tax law that would be adverse to Corporation A but for the issuance of physical bearer certificates. Because ownership of interests in Certificate may be transferred only through a dematerialized book entry system maintained by ABC, and because the circumstances under which definitive bearer certificates may be issued to holders of interests in Certificate are limited to the circumstances described in paragraph (b)(4)(ii)(A) of this section, Certificate is an immobilized bearer form obligation described in paragraph (b)(2)(ii) of this section and is accordingly in registered form under paragraph (b)(2)(ii) of this section.

Example 4. The facts are the same as in *Example 3* of paragraph (b)(5) of this section, except that purchasers of interests in Certificate have the right to obtain definitive bearer certificates upon request at any time until maturity of Certificate. Because the circumstances under which definitive bearer obligations may be issued to holders of interests in Certificate are not limited to the circumstances described in paragraph (b)(4)(ii)(A) of this section, Certificate is not considered to be issued in registered form under paragraph (b)(4)(i) of this section.

Example 5. Bank makes a loan to borrower secured by real property (Loan). Participations in Loan are traded on an established market. The participations are participation interests described in paragraph (a)(3)(ii) of this section and are accordingly registration-required obligations described in paragraph (a)(2)(i) of this section. Bank remains the registered owner of Loan and maintains an electronic book entry system that identifies participants. Participation interests may be transferred only by surrender of the old participation interest and reissuance of the participation interest in the name of the new participant, or by transfer of the participation interest from the name of the old participant to the name of

the new participant in the book entry system of Bank. Bank's book entry system is described in paragraph (b)(2)(i) of this section, and, accordingly, under paragraph (b)(1)(iii) of this section, the participation interests are in registered form.

(6) *Applicability date.* Paragraph (b) of this section applies to obligations issued after March 18, 2012. Taxpayers may apply the rules in section 3 of Notice 2012–20, 2012–13 IRB 574, for obligations issued prior to the date of publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**. For obligations issued on or before March 18, 2012, see § 5f.103–1 of this chapter.

(c) * * *

(3) * * *

(iii) *Applicability to obligations issued after March 18, 2012.* For purposes of section 163(f), paragraph (c) of this section does not apply to obligations issued after March 18, 2012. However, for purposes of determining whether an obligation is described in section 4701(b)(1)(B) or whether the exception in section 6049 from information reporting of interest or original discount with respect to obligations that have an original term of 183 days or less applies, paragraph (c) of this section continues to apply to obligations issued after March 18, 2012. See §§ 1.4701–1(b)(3) and 1.6049–5(b)(10).

■ **Par. 4.** Section 1.163–5T is amended by adding paragraph (f) to read as follows:

§ 1.163–5T Denial of interest deduction on certain obligations issued after December 31, 1982, unless issued in registered form (temporary).

* * * * *

(f) *Applicability date.* This section applies to obligations to which § 5f.163–1 of this chapter applies. See § 5f.163–1(d) of this chapter.

■ **Par. 5.** Section 1.165–12 is amended by:

■ 1. Revising paragraph (a).

■ 2. Redesignating paragraphs (b)(1) and (2) as (b)(2) and (3), respectively.

■ 3. Adding a new paragraph (b)(1).

■ 4. Revising the paragraph heading and first sentence of newly redesignated paragraph (b)(2).

■ 5. Redesignating paragraph (d) as paragraph (d)(1).

■ 6. Revising the paragraph heading and the first sentence of newly redesignated paragraph (d)(1).

■ 7. Adding a new paragraph heading for paragraph (d).

■ 8. Adding paragraph (d)(2).

The revisions and additions read as follows:

§ 1.165–12 Denial of deduction for losses on registration-required obligations not in registered form.

(a) *In general.* Except as provided in paragraph (c) of this section, nothing in section 165(a) and the regulations thereunder, or in any other provision of law, shall be construed to provide a deduction for any loss sustained on any registration-required obligation held after December 31, 1982, unless the obligation is in registered form or the issuance of the obligation was subject to tax under section 4701. The term *registration-required obligation* has the meaning given to that term in section 163(f)(2) and § 1.163–5(a)(2)(i). For purposes of this section, the term *holder* means the person that would be denied a loss deduction under section 165(j)(1) or denied capital gain treatment under section 1287(a). For purposes of this section, the term *United States* means the United States and its possessions within the meaning of § 1.163–5(c)(2)(iv).

(b) *Registered form*—(1) *Obligations issued after March 18, 2012.* With respect to obligations issued after March 18, 2012, the term *registered form* has the meaning given that term in § 1.163–5(b).

(2) *Obligations issued after September 21, 1984 and on or before March 18, 2012.* With respect to any obligation originally issued after September 21, 1984, and on or before March 18, 2012, the term *registered form* has the meaning given that term in § 5f.103–1 of this chapter. * * *

* * * * *

(d) *Applicability date*—(1) *In general.* Except as provided in paragraph (d)(2) of this section, these regulations apply generally to obligations issued after January 20, 1987. * * *

(2) *Obligations issued after March 18, 2012.* Paragraph (a) of this section applies to obligations issued after March 18, 2012. For the rules that apply to obligations issued on or before March 18, 2012, see § 1.165–12 as contained in 26 CFR part 1, revised as of the date of the most recent annual revision.

§ 1.860D–1 [Amended]

■ **Par. 6.** Section 1.860D–1(b)(5)(i)(A) is amended by removing the language ''§ 5f.103–1(c)'' and adding in its place the language ''§ 1.163–5(b).''

■ **Par. 7.** Section 1.871–14 is amended by:

■ 1. Revising the heading for paragraph (c).

■ 2. Revising paragraph (c)(1)(i).

■ 3. Revising the heading for paragraph (d).

■ 4. Revising paragraphs (d)(1) and (2).

■ 5. Adding paragraphs (j)(4) and (5).

The revisions and additions read as follows:

§ 1.871–14 Rules relating to repeal of tax on interest of nonresident alien individuals and foreign corporations received from certain portfolio debt investments.

* * * * *

(c) *Obligations in registered form*—(1) *In general*—(i) *Registered form.* For purposes of this section, the rules of § 1.163–5(b) apply to determine when an obligation is in registered form.

* * * * *

(d) *Application of repeal of 30-percent withholding to pass-through certificates or participation interests*—(1) *In general*—(i) *Pass-through certificates.* Interest received on a pass-through certificate (as defined in § 1.163–5(a)(3)(i)(B)) qualifies as portfolio interest under section 871(h)(2) or 881(c)(2) if the interest satisfies the conditions described in paragraph (c)(1)(ii) of this section or the conditions described in paragraph (e) of this section, without regard to whether any obligation held by the grantor trust, or similar fund, to which the pass-through certificate relates is described in paragraph (c)(1)(ii) or (e) of this section. For purposes of this paragraph (d)(1)(i), a similar fund includes an entity that, under §§ 301.7701–1 through 301.7701–3 of this chapter, is disregarded as an entity separate from its owner or classified as a partnership for federal tax purposes, without regard to the fund has the power to vary the assets in the fund or the sequence of payments made to holders. In addition, for purposes of this paragraph (d)(1)(i), a similar fund does not include a business entity that is classified as a corporation under § 301.7701–2 of this chapter.

(ii) *Participation interests.* Interest received on a participation interest described in § 1.163–5(a)(3)(ii) qualifies as portfolio interest under section 871(h)(2) or 881(c)(2) if the interest satisfies the conditions described in paragraph (c)(1)(ii) of this section or the conditions described in paragraph (e) of this section, without regard to whether the obligation to which the participation interest relates is described in paragraph (c)(1)(ii) or (e) of this section.

(2) *Interest in REMICs.* Interest received on a regular or residual interest in a REMIC, as defined in sections 860D and 860G and the regulations thereunder, qualifies as portfolio interest under section 871(h)(2) or 881(c)(2) if the interest satisfies the conditions described in paragraph (c)(1)(ii) of this section or the conditions described in paragraph (e) of this section. For purposes of paragraphs (c)(1)(ii) and (e) of this section, interest

on a regular interest in a REMIC is not considered interest on any mortgage obligations held by the REMIC. The rule in the preceding sentence, however, applies only to payments made to the holder of the regular interest in the REMIC from the REMIC and does not apply to payments made to the REMIC. For purposes of paragraphs (c)(1)(ii) and (e) of this section, interest on a residual interest in a REMIC is considered to be interest on or with respect to the obligations held by the REMIC, and not on or with respect to the residual interest.

* * * * *

(j) * * *

(4) *Registered form.* Paragraph (c)(1)(i) of this section applies to obligations issued after March 18, 2012. For the rules that apply to obligations issued on or before March 18, 2012, see § 1.871–14 as contained in 26 CFR part 1, revised as of the date of the most recent annual revision.

(5) *Pass-through certificates, participation interests, and interests in REMICs.* Paragraph (d) of this section applies to pass-through certificates, participation interests, or interests in REMICs issued after the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**.

§ 1.881–3 [Amended]

■ **Par. 8.** Section 1.881–3(e) is amended by:

■ 1. Removing *Examples 10* and *19.*

■ 2. Redesignating *Examples 11* through *18* as *Examples 10* through *17* and *Examples 20* through *26* as *Examples 18* through *24.*

■ **Par. 9.** Section 1.1287–1 is amended by:

■ 1. Revising paragraph (a).

■ 2. Redesignating paragraphs (b)(1) and (2) as (b)(2) and (3), respectively.

■ 3. Adding a new paragraph (b)(1).

■ 4. Revising the paragraph heading and first sentence of newly redesignated paragraph (b)(2).

■ 5. Redesignating paragraph (d) as paragraph (d)(1).

■ 6. Revising the paragraph heading and the first sentence of newly redesignated paragraph (d)(1).

■ 7. Adding a new paragraph heading for paragraph (d).

■ 8. Adding paragraph (d)(2).

The revisions and additions read as follows:

§ 1.1287–1 Denial of capital gains treatment for gains on registration-required obligations not in registered form.

(a) *In general.* Except as provided in paragraph (c) of this section, any gain on the sale or other disposition of a registration-required obligation held after December 31, 1982, that is not in registered form shall be treated as ordinary income unless the issuance of the obligation was subject to tax under section 4701. The term *registration-required obligation* has the meaning given to that term in section 163(f)(2) and § 1.163–5(a)(2)(i). The term *holder* means the person that would be denied a loss deduction under section 165(j)(1) or denied capital gain treatment under section 1287(a).

(b) *Registered form*—(1) *Obligations issued after March 18, 2012.* With respect to obligations issued after March 18, 2012, the term *registered form* has the meaning given that term in § 1.163–5(b).

(2) *Obligations issued after September 21, 1984 and on or before March 18, 2012.* With respect to any obligation originally issued after September 21, 1984, and on or before March 18, 2012, the term *registered form* has the meaning given that term in § 5f.103–1 of this chapter. * * *

* * * * *

(d) *Applicability date*—(1) *In general.* Except as provided in paragraph (d)(2) of this section, these regulations apply generally to obligations issued after January 20, 1987. * * *

(2) *Obligations issued after March 18, 2012.* Paragraph (a) of this section applies to obligations issued after March 18, 2012.

§ 1.6045–1 [Amended]

■ **Par. 10.** Section 1.6045–1(n)(2)(ii)(J) is amended by removing the language ''§ 1.1471–1(b)(18)'' and adding in its place the language ''§ 1.1471–1(b)(21)''.

§ 1.6049–5 [Amended]

■ **Par. 11.** Section 1.6049–5 is amended by:

■ 1. Removing ''§ 5f.103–1(c)),'' and adding in its place ''§ 1.163–5(b));'' in paragraph (a)(1)(i).

■ 2. Removing the language ''§ 5f.163–1'' and adding in its place the language ''§ 1.163–5(a)(2)'' in paragraph (a)(1)(ii).

PART 5f—TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

■ **Par. 12.** The authority citation for part 5f continues to read in part as follows:

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

■ **Par. 13.** Section 5f.103–1(d) is amended by revising the paragraph heading and adding two sentences at the end of the paragraph to read as follows:

§ 5f.103–1 Obligations issued after December 31, 1982, required to be in registered form.

* * * * *

(d) *Applicability date.* * * * For the purpose of determining whether bonds satisfy the requirements of section 149(a), this section applies to bonds issued prior to the date 90 days after the publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**, and § 1.149(a)–1 of this chapter applies to bonds issued on or after the date 90 days after the publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**. For all other purposes, see § 1.163–5(a)(2) and (b) of this chapter for obligations issued after March 18, 2012.

* * * * *

■ **Par. 14.** Section 5f.163–1(d) is amended by revising the paragraph heading and adding a sentence at the end of the paragraph to read as follows:

§ 5f.163–1 Denial of interest deduction on certain obligations issued after December 31, 1982, unless issued in registered form.

* * * * *

(d) *Applicability date.* * * * For obligations issued after March 18, 2012, see § 1.163–5 of this chapter.

* * * * *

PART 46—EXCISE TAX ON POLICIES ISSUED BY FOREIGN INSURERS AND OBLIGATIONS NOT IN REGISTERED FORM

■ **Par. 15.** The authority citation for part 46 continues to read as follows:

Authority: 26 U.S.C. 7805.

■ **Par. 16.** Section 46.4701–1 is amended by:

■ 1. Revising paragraphs (b)(3), (4), and (5).

■ 2. Redesignating paragraph (e) as paragraph (e)(1).

■ 3. Revising the paragraph heading of newly redesignated paragraph (e)(1).

■ 4. Adding a new paragraph heading for paragraph (e).

■ 5. Adding paragraph (e)(2).

The revisions and additions read as follows:

§ 46.4701–1 Tax on issuer of registration-required obligation not in registered form.

* * * * *

(b) * * *

(3) *Registration-required obligation.* The term *registration-required obligation* has the same meaning as in section 163(f) and § 1.163–5(a)(2)(i) of this chapter, except that the term does not include an obligation described in section 4701(b)(1)(B) or any obligation that is required to be registered under

section 149(a), such as bonds that are tax-exempt under section 103. For purposes of determining whether an obligation is described in section 4701(b)(1)(B), the rules of § 1.163–5(c) of this chapter apply.

(4) *Registered form.* The term *registered form* has the same meaning as in § 1.163–5(b) of this chapter.

(5) *Issuer*—(i) *In general.* Except as provided in paragraph (b)(5)(ii) of this section, the term *issuer* is the person whose interest deduction would be disallowed solely by reason of section 163(f)(1).

(ii) *Sponsor treated as issuer.* A pass-through certificate (as defined in § 1.163–5(a)(3)(i)(B) of this chapter), a participation interest described in § 1.163–5(a)(3)(ii) of this chapter, or a regular interest in a REMIC, as defined in sections 860D and 860G and the regulations thereunder, is considered to be issued solely by the recipient of the proceeds from the issuance of the certificate or interest (the *sponsor*). The sponsor is therefore liable for any excise tax under section 4701 that may be imposed with reference to the principal amount of the pass-through certificate, participation interest, or regular interest.

* * * * *

(e) *Applicability date*—(1) *In general.*

* * *

(2) *Exception.* Notwithstanding paragraph (e)(1) of this section, paragraphs (b)(3), (4), and (5) of this section apply to obligations issued after March 18, 2012. For the rules that apply to obligations issued on or before March 18, 2012, see § 46.4701–1 as contained in 26 CFR part 46, revised as of the date of the most recent annual revision.

Kirsten Wielobob,

Deputy Commissioner for Services and Enforcement.

[FR Doc. 2017–19753 Filed 9–15–17; 4:15 pm]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

33 CFR 100

United States Mint

Exchange of Coin

AGENCY: United States Mint, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The United States Mint proposes to revise its regulations relating to the exchange of uncurrent, bent, partial, fused, and mixed coins. The proposed revisions include updates to redemption rates and procedures previously proposed in the **Federal Register** on July 16, 2014, as well as revisions that will enhance the integrity of the acceptance and processing of bent and partial United States coins.

DATES: Send comments on or before November 3, 2017.

ADDRESSES: The United States Mint invites comments on all aspects of this proposed revision. You may send comments, identified by docket number and/or RIN number, by any of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for sending comments.
- *Mail:* Submit all written comments to Mutilated Coin Redemption Program; Financial Directorate; United States Mint; 801 9th Street NW., Washington, DC 20220.
- *Hand Delivery/Courier:* Same as mail address.

Instructions: All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking. All comments received will be posted without change to *regulations.gov*, including any personal information provided. For additional information on the rulemaking process, see the ''Public Participation'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Sheila Barnett, Legal Counsel, Office of the Chief Counsel, United States Mint, at (202) 354–7624 or *sbarnett@usmint.treas.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Treasury Regulations appearing at 31 CFR part 100, subpart C, are promulgated under 31 U.S.C. 5120, and relate to the exchange of uncurrent, bent, partial, fused, and mixed coins. The last amendment to 31 CFR part 100, subpart C, was on August 23, 1999. Since then, the United States Mint has identified portions of the regulations in need of revision to update redemption rates and procedures, and to enhance the integrity of the acceptance and processing of bent and partial United States coins.

The first category of proposed revisions would update and improve the redemption process of bent and partial coins to enhance security and ensure the integrity of United States coinage. These revisions were not previously proposed. The revisions would establish procedures for certifying participants based on submission amounts and frequency, sampling submissions to authenticate material, conducting site visits for certain participants, and requiring information on how the submission came to be bent or partial. The revisions will also inform submitters of required banking information. Lastly, the revisions would provide the United States Mint discretion to cease processing submissions that appear to be part of an illegal scheme, or contain material that is not identifiable as bent or partial United States coinage.

The second category of proposed revisions, previously proposed in 79 FR 41468, July 16, 2014, relates to the redemption rates for uncurrent coins and bent and partial coins that have been withdrawn from circulation. For uncurrent coins, the revision would clarify the procedure for redemption by instructing the public to deposit the uncurrent coins with a financial institution that will accept them, or with a depository institution that has a direct relationship with a Federal Reserve Bank. The revision would make clear that a Federal Reserve Bank will redeem uncurrent coins based on the policies described in the Federal Reserve's Operating Circular 2.

For bent or partial coins, the proposed revision would update the redemption rates of certain coins to reflect the current values and compositions of coins being redeemed. For example, in the existing regulation, the redemption rate for one-cent coins is $1.4585 per pound; this redemption rate was derived from the weight of brass one-cent coins (3.11 grams or 0.1097 ounces each), which the United States Mint has not minted and issued since 1982. In 1983, the United States Mint began minting and issuing only copper-plated zinc one-cent coins, which weigh 2.50 grams or 0.0882 ounces each. Due to the weight difference, a pound (the minimum weight for redemption) of copper-plated zinc one-cent coins contains a higher quantity of coins than a pound of brass one-cent coins. The proposed revisions would make the redemption rate $1.8100 for a pound consisting solely of copper-plated zinc one-cent coins. For brass one-cent coins, or a mix of both brass and copper-plated zinc one-cent coins, the lower redemption rate of $1.4585 will apply. A similar update would be made to the redemption rate for $1 coins.

The third category of proposed revisions, also previously proposed in 79 FR 41468, July 16, 2014, would clarify that the United States Mint will not accept fused coins. The United States Mint will also not accept mixed coins (coins of several alloy categories presented together) for redemption, with the exception of bent or partial one-cent coins and $1 coins that are presented in mixed years.

The fourth category of proposed revisions puts the public on notice that the Director of the United States Mint may provide information pertaining to any bent or partial coin submission to law enforcement officials or other third parties for purposes of investigating related criminal activity or for purposes of seeking civil judgment. The revisions would also notify potential participants that they may be held criminally and/or civilly liable, fined, and/or imprisoned for fraudulent submissions.

II. Public Participation

The United States Mint previously proposed updates to redemption rates and procedures in 79 FR 41468, July 16, 2014, and requested comments. The United States Mint received one comment, but it was not responsive to the proposed updates. A final rule was not published.

In 81 FR 75922, Nov. 1, 2016, the United States Mint issued a request for public comment on new ways to enhance the integrity of the acceptance and processing of bent and partial coins. Seventeen comments were received and reviewed. The majority of comments were submitted by individuals or entities that previously exchanged bent or partial coins with the United States Mint.

In general, most comments expressed support for requiring participant certification, particularly for participants submitting large quantities of bent or partial coins. Many comments expressed concern with the cost and feasibility of coinage material authentication but supported sampling or spot testing by the United States Mint.

Many comments supported the suggestion of requiring chain of custody information regarding the bent or partial coin submissions. Comments from stakeholders in the recycling industry, however, discussed the difficulty they face in tracing coins recovered by auto and appliance shredding, and therefore recommended that recyclers be considered the point of origin. Multiple comments noted the importance of documenting the chain of custody of coins that had circulated outside of the United States.

The suggestion of annual limitations on submissions was largely disfavored by those who submitted comments. Many comments described a backlog of bent or partial coins from the suspension of the exchange program and a lack of alternative forums to redeem such coins.

III. Procedural Analysis

Regulatory Planning and Review

The Office of Management and Budget has determined that this proposed rule does not constitute a ''significant regulatory action'' under Executive Order 12866 or Executive Order 13771.

Regulatory Flexibility Act Analysis

It is hereby certified that the proposed revisions will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* is not required. First, the regulations do not directly regulate any entities. The redemption of uncurrent, bent, or partial coins is a discretionary service offered to the public; participation is voluntary. Second, many of the coins presented for redemption in the past were submitted by individuals transacting with the United States Mint in their own names. The number of entities tendering significant quantities of coins for redemption is small. Even if each such individual or entity qualified as a ''small entity'' within the meaning of 5 U.S.C. 604(a), the United States Mint does not believe that the proposed revisions are likely to have a significant economic impact. The revisions do not change or limit the scope of what may be submitted for redemption or who may submit them. The revisions may require additional information from participants to deter potential fraud and abuse, but the added administrative costs for participants are expected to be minimal.

IV. Request for Comment

Before the proposed revisions to the Treasury Regulations at 31 CFR part 100, subpart C, are adopted as final regulations, the United States Mint will consider any comments that are submitted to the bureau as prescribed in this preamble under the ''Dates'' and ''Addresses'' headings. The United States Mint and the Department of the Treasury request comments on all aspects of the proposed revisions.

List of Subjects in 31 CFR Part 100

Coins.

For the reasons set forth in the preamble, the United States Mint proposes to revise 31 CFR part 100, subpart C as follows:

PART 100—EXCHANGE OF PAPER CURRENCY AND COIN

Subpart C—Request for Examination of Coin for Possible Redemption

Sec.

100.10 Request for examination of uncurrent coin for possible redemption.
100.11 Request for examination of bent or partial coin for possible redemption.
100.12 Exchange of fused or mixed coin.
100.13 Notices.

PART 100—EXCHANGE OF PAPER CURRENCY AND COIN

Subpart C—Request for Examination of Coin for Possible Redemption

§ 100.10 Request for examination of uncurrent coin for possible redemption.

(a) *Definition.* Uncurrent coins are whole U.S. coins which are merely worn or reduced in weight by natural abrasion yet are readily and clearly recognizable as to genuineness and denomination and which are machine countable.

(b) *Redemption process.* The United States Mint will not accept uncurrent coins for redemption. Members of the public wishing to redeem lawfully held uncurrent coins must deposit the uncurrent coins with a bank or other financial institution that will accept them, or with a depository institution that has established a direct customer relationship with a Federal Reserve Bank. A Federal Reserve Bank will redeem uncurrent coins, based on the policies described in the Federal Reserve's Operating Circular 2.

(c) *Criteria for acceptance.* Depository institutions that redeem uncurrent coins must sort the coins by denomination into packages in accordance with the Federal Reserve's Operating Circular 2. The Federal Reserve Banks have the right to reject any shipment containing objects that are not U.S. coins or any contaminant that could render the uncurrent coins unsuitable for coinage metal.

(d) *Redemption sites.* The Federal Reserve Banks and branches listed in § 100.17 are the only authorized redemption sites at which a depository institution that has established a direct customer relationship with a Federal Reserve Bank may redeem uncurrent coins.

§ 100.11 Request for examination of bent or partial coin for possible redemption.

(a) *General.* Lawfully held bent or partial coins of the United States may be submitted to the United States Mint for examination in accordance with the provisions in this subpart. Any submission under this subpart shall be deemed an acceptance of all provisions of this subpart.

(b) *Definitions.* (1) Bent coins are U.S. coins which are bent or deformed so as to preclude normal machine counting

but which are readily and clearly identifiable as to genuineness and denomination.

(2) Partial coins are U.S. coins which are not whole; partial coins must be readily and clearly identifiable as to genuineness and denomination.

(3) Participants are individuals or businesses that submit coins through the redemption process.

(c) *Redemption process.*

(1) Depending on submission amount and frequency, participants may be subject to a certification process by the United States Mint. The established annual weight threshold and details about the participant certification process will be published on the United States Mint's Web site. If certification is required, it must be done prior to submission.

(2) All submissions for review shall include an estimate of the value of the coins and an explanation of how the submission came to be bent or partial. The submission should also contain the bank account number and routing number for a checking or savings account at a bank or other financial institution (such as a mutual fund, brokerage firm, or credit union) in the United States.

(3) Participants may be required to provide documentation for how the participant came into custody of the bent or partial coins.

(4) The United States Mint reserves the right to test samples from any submission to authenticate the material. The size of the sample will be limited to the amount necessary for authentication. Testing may result in partial or complete destruction of the sample.

(5) The United States Mint reserves the right to conduct site visits for participants over a certain volume threshold to verify information provided to the United States Mint.

(6) No redemption will be made when:

(i) A submission, or any portion of a submission, demonstrates a pattern of intentional mutilation or an attempt to defraud the United States;

(ii) A submission appears to be part of, or intended to further, any criminal activity;

(iii) A submission contains a material misrepresentation of facts;

(iv) Material presented is not identifiable as United States coins. In such instances, the participant will be notified to retrieve the entire submission, at the participant's sole expense, within 30 days. If the submission is not retrieved in a timely manner, the entire submission will be treated as voluntarily abandoned property, pursuant to 41 CFR 102–41.80, and will be retained or disposed of by the United States Mint;

(v) A submission contains any contaminant that could render the coins unsuitable for coinage metal. In such instances, the participant will be notified to retrieve the entire submission, at the participant's sole expense, within 30 days. If the submission is not retrieved in a timely manner, the entire submission will be treated as voluntarily abandoned property, pursuant to 41 CFR 102–41.80, and will be retained or disposed of by the United States Mint; or

(vi) A submission contains more than a nominal amount of uncurrent coins. In such instances, the participant may be notified to retrieve the entire submission, at the participant's sole expense, within 30 days. If the submission is not retrieved in a timely manner, the entire submission will be treated as voluntarily abandoned property, pursuant to 41 CFR 102–41.80, and will be retained or disposed of by the United States Mint.

(7) The Director of the United States Mint, or designee, shall have final authority with respect to all aspects of redemptions of bent or partial coin submissions.

(d) *Redemption rates.*

(1) *Generally.* Participants shall separate bent or partial coins by denomination in lots of at least one pound for each denomination category. The United States Mint will redeem bent or partial coins on the basis of their weight and denomination at the following rates:

(i) One-Cent Coins: $1.4585 per pound.

(ii) 5-Cent Coins: $4.5359 per pound.

(iii) Dime, Quarter-Dollar, and Half-Dollar Coins: $20.00 per pound.

(iv) $1 Coins: $20.00 per pound.

(2) *Exceptions.* (i) The United States Mint will redeem one-cent coins inscribed with a year after 1982 at the rate set forth at subparagraph (1)(i) of this subsection unless such one-cent coins are presented unmixed from one-cent coins inscribed with a year before 1983. The United States Mint will redeem unmixed one-cent coins inscribed with a year after 1982 at a rate of $1.8100 per pound.

(ii) The United States Mint will redeem $1 coins inscribed with a year after 1978 at the rate set forth at subparagraph (1)(iv) of this subsection unless such $1 coins are presented unmixed from $1 coins inscribed with a year before 1979. The United States Mint will redeem unmixed $1 coins inscribed with a year after 1978 at a rate of $56.00 per pound.

(e) *Redemption sites.* Coins are shipped at the sender's risk of loss and expense.

(1) Bent and partial coins submitted in quantities less than or equal to a threshold established annually will be redeemed only at the United States Mint at Philadelphia, P.O. Box 400, Philadelphia, PA 19105.

(2) Bent and partial coins submitted in quantities greater than a threshold established annually should be scheduled with the United States Mint to be sent directly to the authorized recycler(s) of the United States Mint.

§ 100.12 Exchange of fused or mixed coin.

(a) *Definitions.* (1) Fused coins are U.S. coins which are melted to the extent that they are bonded together.

(2) Mixed coins are U.S. coins of several alloy categories which are presented together, but are readily and clearly identifiable as U.S. coins.

(b) The United States Mint will not accept fused coins for redemption. The United States Mint will not accept mixed coins for redemption, except as provided for in § 100.11(d)(2).

§ 100.13 Notices.

(a) Additional information and procedures about the United States Mint's redemption of bent or partial coins can be found on the United States Mint's Web site.

(b) Criminal penalties connected with the defacement or mutilation of U.S. coins are provided in 18 U.S.C. 331.

(c) The Director of the United States Mint may provide information pertaining to any bent or partial coin submissions to law enforcement officials or other third parties for purposes of investigating related criminal activity or for purposes of seeking a civil judgment.

(d) Whoever intentionally files a false claim seeking reimbursement for uncurrent, bent or partial coins may be held criminally liable under a number of statutes including 18 U.S.C. 287 and 18 U.S.C. 1341 and may be held civilly liable under 31 U.S.C. 3729, *et seq.*

Dated: September 13, 2017.

Jean Gentry,

Chief Counsel, United States Mint.

[FR Doc. 2017–19885 Filed 9–18–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 170510477–7477–01]

RIN 0648–BG88

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Regulatory Amendment 6 to the Reef Fish Fishery Management Plan of Puerto Rico and the U.S. Virgin Islands

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to implement the measures described in Regulatory Amendment 6 to the Fishery Management Plan for the Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands (USVI)(FMP), as prepared and submitted by the Caribbean Fishery Management Council (Council). This proposed rule would revise the method used to trigger the application of accountability measures (AM) for Council-managed reef fish species or species groups in the Puerto Rico exclusive economic zone (EEZ). The purpose of this proposed rule is to increase the likelihood that optimum yield (OY) is achieved on a continuing basis and to minimize, to the extent practicable, adverse socio-economic effects of AM-based closures.

DATES: Written comments must be received on or before October 19, 2017.

ADDRESSES: You may submit comments on the proposed rule identified by ''NOAA–NMFS–2017–0074'' by either of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal e-Rulemaking Portal: *http://www.regulations.gov.* Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0074,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Sarah Stephenson, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Electronic copies of Regulatory Amendment 6, which includes an environmental assessment, a Regulatory Flexibility Act (RFA) analysis, and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov/sustainable_fisheries/caribbean/index.html.*

FOR FURTHER INFORMATION CONTACT: Sarah Stephenson, telephone: 727–824–5305; email: *sarah.stephenson@noaa.gov.*

SUPPLEMENTARY INFORMATION: In the U.S. Caribbean EEZ, the reef fish fishery is managed under the FMP. The FMP was prepared by the Council and is implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 *et seq.*).

Background

The current AMs in the Puerto Rico EEZ, applicable to Council-managed reef fish species or species groups, require NMFS to reduce the length of the Federal fishing season in the fishing year following a determination that landings for a species or species group exceeded the applicable sector annual catch limit (ACL). As specified in the FMP, the landings determination is based on the applicable 3-year landings average. However, if NMFS determines the ACL for a particular species or species group was exceeded because of enhanced data collection and monitoring efforts, instead of an increase in total catch, NMFS will not reduce the length of the fishing season the following fishing year. The current AM-based closure is triggered and applied when the sector ACL is exceeded, even if the total ACL (*i.e.,* combined commercial and recreational ACLs) for a species or species group was not exceeded. For all Council-managed reef fish species or species groups, the total ACL equals the annual estimate of OY and is set at a level that is considered to be sustainable for the species or species group. Therefore, the application of the current AM for Puerto Rico reef fish could translate into lost yield from the affected species or species group (if the sector ACL is exceeded, but the total ACL is not), potentially resulting in negative socio-economic impacts.

Sector-specific data are not available for other federally managed species in the Puerto Rico EEZ (*e.g.,* queen conch, spiny lobster) or for other federally managed species or species groups in the U.S. Caribbean EEZ, so those species and species groups are not included in Regulatory Amendment 6. Therefore, Regulatory Amendment 6 and this proposed rule apply only to federally-managed reef fish species and species groups in the Puerto Rico EEZ.

Management Measure Contained in This Proposed Rule

This proposed rule would revise the trigger for implementing AM-based fishing season reductions, for all reef fish species or species groups managed by the Council in the Puerto Rico EEZ. Specifically, an AM-based closure would be triggered only when both the applicable sector (recreational or commercial) ACL and the total ACL for a species or species group is exceeded. If both the sector ACL and the total ACL are exceeded, the AM would be applied to the sector or sectors that experienced the overage. The duration of any implemented AM-based closure would continue to be based on the extent to which the applicable sector ACL was exceeded and would be calculated and applied using the current practices and methods. However, consistent with the current regulations, if NMFS determines that either of the applicable ACLs was exceeded because of enhanced data collection and monitoring efforts, instead of an increase in catch, NMFS will not reduce the length of the fishing season. For example, if NMFS determines that the applicable sector ACL exceedance for a species or species group is not attributable to enhanced data collection and monitoring efforts, but that the total ACL exceedance is attributable to enhanced data collection and monitoring efforts, NMFS will not reduce the length of the sector's fishing season for the applicable species or species group the following fishing year.

This proposed rule to implement Regulatory Amendment 6 is expected to increase the likelihood that OY is achieved on a continuing basis and to minimize adverse socio-economic effects from the implementation of AMs, while still helping to ensure that AM-based closures constrain harvest to the total ACL and prevent overfishing. Under the current AM regulations, fishing season reductions have been applied in Puerto Rico when a specific fishing sector has exceeded its sector

ACL even when the total ACL (equivalent to an annual estimate of OY) for the species or species group was not reached. As described in Regulatory Amendment 6, assuming each sector harvests at a similar rate from year to year, the current AM-based fishing season reductions increase the likelihood that the total ACL for a species or species group will not be achieved in the year the closure is applied. Modifying the AM trigger for a fishing season reduction from an overage of the sector ACL to an overage of both the sector and the total ACL increases the likelihood that OY for a species or species group will be achieved on a continuing basis. Additionally, the proposed revision to the AM would result in the AM being triggered less frequently and thereby result in fewer fishing season reductions. A reduced number of fishing season reductions for a sector would be expected to result in increased socio-economic benefits to the applicable sector and the associated fishing communities. NMFS notes that the method for calculating the landings determination using the 3-year landings average for a species or species group will not change through this proposed rule.

NMFS notes that in the codified text for this proposed rule, amendatory instruction 2 would revise the entire § 622.12. While the proposed rule only affects management in Puerto Rico Federal waters, the section as a whole is revised as a result of the proposed action to more clearly and distinctly describe the AMs and ACLs throughout the U.S. Caribbean EEZ. The proposed rule would also revise some regulatory citations within § 622.12 and § 622.491 to reflect changes made to the regulatory text as a result of this proposed rule.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the FMP, the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

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

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The factual basis for this certification is as follows.

A description of this proposed rule, why it is being considered, and the objectives of this proposed rule are contained in the preamble. In summary, this action revises how AMs are triggered for the reef fish fishery in the Puerto Rico EEZ, to increase the likelihood that OY is achieved on a continuing basis and to minimize, to the extent practicable, adverse socio-economic effects of AM-based closures in accordance with the National Standards set forth in the Magnuson-Stevens Act. The Magnuson-Stevens Act provides the statutory basis for this proposed rule.

This proposed rule would directly affect recreational and commercial fishing for reef fish managed by the Caribbean Fishery Management Council in Federal waters of the U.S. Caribbean off Puerto Rico. Anglers (recreational fishers), whether fishing from for-hire, private or leased vessels, are not considered small entities as that term is defined in 5 U.S.C. 601(6). Therefore, estimates of the number of anglers directly affected by the rule and the impacts on them are not provided here.

NMFS estimates there are 795 commercial fishing businesses in Puerto Rico and the average annual dockside revenue of these businesses is $10,000 each. For RFA purposes, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily involved in commercial fishing (NAICS 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and its combined annual receipts are not in excess of $11 million for all of its affiliated operations worldwide. Based on the average annual revenue for the 795 commercial fishing businesses, it is concluded that all of Puerto Rico's commercial fishing businesses are small. It is unknown how many of these small businesses harvest reef fish in Federal waters; however, it is possible that all 795 of these businesses may be directly affected by the proposed rule.

This action would revise the trigger for implementing AMs for Council-managed reef fish species and species groups in the Puerto Rico EEZ. Currently, if commercial landings of a federally managed reef fish species or species group exceed the commercial ACL for that species or species group, the length of the following year's Federal fishing season for that species or species group is reduced by the amount necessary to ensure commercial landings do not again exceed the commercial ACL, even if the total ACL (the combined commercial and recreational sector ACLs) is not exceeded by combined recreational and commercial landings. That occurred in 2016, for example, when the commercial season for Snapper Unit 2 in Puerto Rico was reduced by 36 days because commercial landings of Snapper Unit 2 had exceeded the pertinent commercial ACL, even though combined commercial and recreational landings of Snapper Unit 2 were less than the total ACL (81 FR 34283, May 31, 2016).

This action would benefit small commercial fishing businesses by reducing the potential adverse economic impact, if any, caused by a reduction in the length of the Federal commercial season required by the current AM. The action changes the trigger for the AMs, potentially reducing the number of AM-based reductions in length of the Federal commercial fishing season, and benefitting those who are negatively affected by such reductions. The actual adverse impact caused by a reduction in the length of a Federal commercial fishing season, is dependent on the extent to which commercial fishing for a species or species group occurs in Federal waters and on the ability of a commercial fishing business to change intensity of effort in anticipation of a possible reduced season in Federal waters; commercial businesses that fish for species in federal waters and are not able to change their behavior in anticipation of Federal commercial fishing season reductions are most impacted by the fishing season reductions and could see the most benefit from changing the AM trigger and reducing the potential for an AM-based fishing season reduction. However, NMFS is unable to provide estimates of the baseline adverse economic impact of shortened fishing seasons caused by the current AM without making assumptions as to the magnitudes of those factors.

However, NMFS estimates that if the 2016 commercial season for Snapper Unit 2 had not closed early and if all additional landings of Snapper Unit 2 were from the commercial sector and from Federal waters, each small business could have landed an additional 28 lb (12.7 kg) of Snapper Unit 2, which would equate to an additional dockside value of $143 per business that year. For a small commercial fishing business that has average annual dockside revenue of $10,000, that maximum benefit would represent a 1.43 percent increase in annual revenue. Therefore, it is concluded that the rule would not have

a significant economic impact on a substantial number of small entities under the RFA, 5 U.S.C. 601 *et seq;* however, small businesses are encouraged to comment on this conclusion.

List of Subjects in 50 CFR Part 622

Accountability measures, Annual catch limits, Caribbean, Fisheries, Fishing, Puerto Rico.

Dated: September 14, 2017.

Samuel D. Rauch, III,

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

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

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

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

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

■ 2. Revise § 622.12 to read as follows:

§ 622.12 Annual catch limits (ACLs) and accountability measures (AMs) for Caribbean island management areas/ Caribbean EEZ.

(a) *Puerto Rico management area.* See Appendix E of this part for specification of the Puerto Rico management area.

(1) *Queen conch.* See § 622.491 regarding seasonal and area closure provisions and ACL closure provisions applicable to queen conch.

(i) *Commercial ACL.* For the EEZ only, 0 lb (0 kg), round weight.

(ii) *Recreational ACL.* For the EEZ only, 0 lb (0 kg), round weight.

(2) *Reef fish.* Landings will be evaluated relative to the applicable ACL based on a moving multi-year average of landings, as described in the FMP. With the exceptions of goliath grouper, Nassau grouper, midnight parrotfish, blue parrotfish, and rainbow parrotfish, ACLs are based on the combined Caribbean EEZ and territorial landings for the Puerto Rico management area. As described in the FMP, for each species or species group in this paragraph, any fishing season reduction required under (a)(2)(i) or (ii) will be applied from September 30 backward, toward the beginning of the fishing year. If the length of the required fishing season reduction exceeds the time period of January 1 through September 30, any additional fishing season reduction will be applied from October 1 forward, toward the end of the fishing year.

(i) *Commercial sector.* If commercial landings, as estimated by the SRD, have exceeded the applicable species or species group commercial ACL, as specified in paragraph (a)(2)(i) of this section, and the combined commercial and recreational landings have exceeded the applicable combined commercial and recreational sector ACL (total ACL), as specified in paragraph (a)(2)(iii) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season for the applicable species or species groups for the commercial sector that year by the amount necessary to ensure that commercial landings do not exceed the applicable commercial ACL for the species or species group. If NMFS determines that either the applicable commercial ACL or total ACL for a particular species or species group was exceeded because of enhanced data collection and monitoring efforts instead of an increase in catch of the species or species group, NMFS will not reduce the length of the commercial fishing season for the applicable species or species group the following fishing year. The commercial ACLs, in round weight, are as follows:

(A) *Parrotfishes*—52,737 lb (23,915 kg).

(B) *Snapper Unit 1*—284,685 lb (129,131 kg).

(C) *Snapper Unit 2*—145,916 lb (66,186 kg).

(D) *Snapper Unit 3*—345,775 lb (156,841 kg).

(E) *Snapper Unit 4*—373,295 lb (169,324 kg).

(F) *Groupers*—177,513 lb (80,519 kg).

(G) *Angelfish*—8,984 lb (4,075 kg).

(H) *Boxfish*—86,115 lb (39,061 kg).

(I) *Goatfishes*—17,565 lb (7,967 kg).

(J) *Grunts*—182,396 lb (82,733 kg).

(K) *Wrasses*—54,147 lb (24,561 kg).

(L) *Jacks*—86,059 lb (39,036 kg).

(M) *Scups and porgies, combined*—24,739 lb (11,221 kg).

(N) *Squirrelfish*—16,663 lb (7,558 kg).

(O) *Surgeonfish*—7,179 lb (3,256 kg).

(P) *Triggerfish and filefish, combined*—58,475 lb (26,524 kg).

(ii) *Recreational sector.* If recreational landings, as estimated by the SRD, have exceeded the applicable species or species group recreational ACL, as specified in paragraph (a)(2)(ii) of this section, and the combined commercial and recreational landings have exceeded the applicable combined commercial and recreational sector ACL (total ACL), as specified in paragraph (a)(2)(iii) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season for the applicable species or species groups for the recreational sector that year by the amount necessary to ensure that recreational landings do not exceed the applicable species or species group recreational ACL. If NMFS determines that either the applicable recreational ACL or total ACL for a particular species or species group was exceeded because of enhanced data collection and monitoring efforts instead of an increase in catch of the species or species group, NMFS will not reduce the length of the fishing season for the applicable species or species group the following fishing year. The recreational ACLs, in round weight, are as follows:

(A) *Parrotfishes*—15,263 lb (6,921 kg).

(B) *Snapper Unit 1*—95,526 lb (43,330 kg).

(C) *Snapper Unit 2*—34,810 lb (15,790 kg).

(D) *Snapper Unit 3*—83,158 lb (37,720 kg).

(E) *Snapper Unit 4*—28,509 lb (12,931 kg).

(F) *Groupers*—77,213 lb (35,023 kg).

(G) *Angelfish*—4,492 lb (2,038 kg).

(H) *Boxfish*—4,616 lb (2,094 kg).

(I) *Goatfishes*—362 lb (164 kg).

(J) *Grunts*—5,028 lb (2,281 kg).

(K) *Wrasses*—5,050 lb (2,291 kg).

(L) *Jacks*—51,001 lb (23,134 kg).

(M) *Scups and porgies, combined*—2,577 lb (1,169 kg).

(N) *Squirrelfish*—3,891 lb (1,765 kg).

(O) *Surgeonfish*—3,590 lb (1,628 kg).

(P) *Triggerfish and filefish, combined*—21,929 lb (9,947 kg).

(iii) *Total ACLs.* The total ACLs (combined commercial and recreational ACL), in round weight, are as follows:

(A) *Parrotfishes*—68,000 lb (30,844 kg).

(B) *Snapper Unit 1*—380,211 lb (172,461 kg).

(C) *Snapper Unit 2*—180,726 lb (81,976 kg).

(D) *Snapper Unit 3*—428,933 lb (194,561 kg).

(E) *Snapper Unit 4*—401,804 lb (182,255 kg).

(F) *Groupers*—254,726 lb (115,542 kg).

(G) *Angelfish*—13,476 lb (6,113 kg).

(H) *Boxfish*—90,731 lb (41,155 kg).

(I) *Goatfishes*—17,927 lb (8,132 kg).

(J) *Grunts*—187,424 lb (85,014 kg).

(K) *Wrasses*—59,197 lb (26,851 kg).

(L) *Jacks*—137,060 lb (62,169 kg).

(M) *Scups and porgies, combined*—27,316 lb (kg).

(N) *Squirrelfish*—20,554 lb (9,323 kg).

(O) *Surgeonfish*—10,769 lb (4,885 kg).

(P) *Triggerfish and filefish, combined*—80,404 lb (36,471 kg).

(3) *Spiny lobster.* Landings will be evaluated relative to the ACL based on

a moving multi-year average of landings, as described in the FMP. The ACL is based on the combined Caribbean EEZ and territorial landings for the Puerto Rico management area. If landings, as estimated by the SRD, have exceeded the ACL, as specified in this paragraph, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season for spiny lobster that year by the amount necessary to ensure landings do not exceed the ACL. If NMFS determines the ACL was exceeded because of enhanced data collection and monitoring efforts instead of an increase in total catch, NMFS will not reduce the length of the fishing season the following fishing year. As described in the FMP, any fishing season reduction required as a result of this paragraph will be applied from September 30 backward, toward the beginning of the fishing year. If the length of the required fishing season reduction exceeds the time period of January 1 through September 30, any additional fishing season reduction will be applied from October 1 forward, toward the end of the fishing year. The ACL is 327,920 lb (148,742 kg), round weight.

(b) *St. Croix management area.* See Appendix E of this part for specification of the St. Croix management area.

(1) *Queen conch.* See § 622.491 regarding seasonal and area closure provisions and ACL closure provisions applicable to queen conch. The ACL is 50,000 lb (22,680 kg), round weight.

(2) *Reef fish.* Landings will be evaluated relative to the applicable ACL based on a moving multi-year average of landings, as described in the FMP. With the exception of goliath grouper, Nassau grouper, midnight parrotfish, blue parrotfish, and rainbow parrotfish, ACLs are based on the combined Caribbean EEZ and territorial landings for the St. Croix management area. If landings, as estimated by the SRD, have exceeded the applicable ACL for a species or species group, as specified in this paragraph, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season for the applicable species or species group that year by the amount necessary to ensure landings do not exceed the applicable ACL. If NMFS determines the ACL for a particular species or species group was exceeded because of enhanced data collection and monitoring efforts instead of an increase in total catch of the species or species group, NMFS will not reduce the length of the fishing season for the applicable species or species group the following fishing year. As described in the FMP, for each species or species group in this paragraph, any fishing season reduction required as a result of this paragraph will be applied from September 30 backward, toward the beginning of the fishing year. If the length of the required fishing season reduction exceeds the time period of January 1 through September 30, any additional fishing season reduction will be applied from October 1 forward, toward the end of the fishing year. The ACLs, in round weight, are as follows:

(i) *Parrotfishes*—240,000 lb (108,863 kg).

(ii) *Snappers*—102,946 lb (46,696 kg).

(iii) *Groupers*—30,435 lb (13,805 kg).

(iv) *Angelfish*—305 lb (138 kg).

(v) *Boxfish*—8,433 lb (3,825 kg).

(vi) *Goatfishes*—3,766 lb (1,708 kg).

(vii) *Grunts*—36,881 lb (16,729 kg).

(viii) *Wrasses*—7 lb (3 kg).

(ix) *Jacks*—15,489 lb (7,076 kg).

(x) *Scups and porgies, combined*—4,638 lb (2,104 kg).

(xi) *Squirrelfish*—121 lb (55 kg).

(xii) *Surgeonfish*—33,603 lb (15,242 kg).

(xiii) *Triggerfish and filefish, combined*—24,980 lb (11,331 kg).

(3) *Spiny lobster.* Landings will be evaluated relative to the ACL based on a moving multi-year average of landings, as described in the FMP. The ACL is based on the combined Caribbean EEZ and territorial landings for the St. Croix management area. If landings, as estimated by the SRD, have exceeded the ACL, as specified in this paragraph, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season that year by the amount necessary to ensure landings do not exceed the ACL. If NMFS determines the ACL was exceeded because of enhanced data collection and monitoring efforts instead of an increase in total catch, NMFS will not reduce the length of the fishing season for the following fishing year. As described in the FMP, any fishing season reduction required as a result of this paragraph will be applied from September 30 backward, toward the beginning of the fishing year. If the length of the required fishing season reduction exceeds the time period of January 1 through September 30, any additional fishing season reduction will be applied from October 1 forward, toward the end of the fishing year. The ACL is 107,307 lb (48,674 kg), round weight.

(c) *St. Thomas/St. John management area.* See Appendix E of this part for specification of the St. Thomas/St. John management area.

(1) *Queen conch.* See § 622.491 regarding seasonal and area closure provisions and ACL closure provisions applicable to queen conch. The ACL is 0 lb (0 kg), round weight, for the EEZ only.

(2) *Reef fish.* Landings will be evaluated relative to the applicable ACL based on a moving multi-year average of landings, as described in the FMP. With the exception of goliath grouper, Nassau grouper, midnight parrotfish, blue parrotfish, and rainbow parrotfish, ACLs are based on the combined Caribbean EEZ and territorial landings for St. Thomas/St. John management area. If landings, as estimated by the SRD, have exceeded the applicable ACL for a species or species group, as specified in this paragraph, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season for the applicable species or species group that year by the amount necessary to ensure landings do not exceed the applicable ACL. If NMFS determines the ACL for a particular species or species group was exceeded because of enhanced data collection and monitoring efforts instead of an increase in total catch of the species or species group, NMFS will not reduce the length of the fishing season for the applicable species or species group the following fishing year. As described in the FMP, for each species or species group in this paragraph, any fishing season reduction required as a result of this paragraph will be applied from September 30 backward, toward the beginning of the fishing year. If the length of the required fishing season reduction exceeds the time period of January 1 through September 30, any additional fishing season reduction will be applied from October 1 forward, toward the end of the fishing year. The ACLs, in round weight, are as follows:

(i) *Parrotfishes*—42,500 lb (19,278 kg).

(ii) *Snappers*—133,775 lb (60,679 kg).

(iii) *Groupers*—51,849 lb (23,518 kg).

(iv) *Angelfish*—7,897 lb (3,582 kg).

(v) *Boxfish*—27,880 lb (12,646 kg).

(vi) *Goatfishes*—320 lb (145 kg).

(vii) *Grunts*—37,617 lb (17,063 kg).

(viii) *Wrasses*—585 lb (265 kg).

(ix) *Jacks*—52,907 lb (23,998 kg).

(x) *Scups and porgies, combined*—21,819 lb (9,897 kg).

(xi) *Squirrelfish*—4,241 lb (1,924 kg).

(xii) *Surgeonfish*—29,249 lb (13,267 kg).

(xiii) *Triggerfish and filefish, combined*—74,447 lb (33,769 kg).

(3) *Spiny lobster.* Landings will be evaluated relative to the ACL based on

a moving multi-year average of landings, as described in the FMP. The ACL is based on the combined Caribbean EEZ and territorial landings for the St. Thomas/St. John management area. If landings, as estimated by the SRD, have exceeded the ACL, as specified in this paragraph, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season that year by the amount necessary to ensure landings do not exceed the ACL. If NMFS determines the ACL was exceeded because of enhanced data collection and monitoring efforts instead of an increase in total catch, NMFS will not reduce the length of the fishing season for the following fishing year. As described in the FMP, any fishing season reduction required as a result of this paragraph will be applied from September 30 backward, toward the beginning of the fishing year. If the length of the required fishing season reduction exceeds the time period of January 1 through September 30, any additional fishing season reduction will be applied from October 1 forward, toward the end of the fishing year. The ACL is 104,199 lb (47,264 kg), round weight.

(d) *Caribbean EEZ.* Landings will be evaluated relative to the applicable ACL based on a moving multi-year average of landings, as described in the FMPs. The ACLs are based on the combined Caribbean EEZ and territorial landings, throughout the Caribbean EEZ. If landings from the Caribbean EEZ for tilefish and aquarium trade species, as estimated by the SRD, have exceeded the applicable ACL, as specified in this paragraph, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the length of the fishing season for the applicable species or species groups that year by the amount necessary to ensure landings do not exceed the applicable ACL. If NMFS determines the applicable ACL was exceeded because of enhanced data collection and monitoring efforts instead of an increase in total catch, NMFS will not reduce the length of the fishing season for the following fishing year. As described in the FMPs, for each species or species group in this paragraph, any fishing season reduction required as a result of this paragraph will be applied from September 30 backward, toward the beginning of the fishing year. If the length of the required fishing season reduction exceeds the time period of January 1 through September 30, any additional fishing season reduction will be applied from October 1 forward, toward the end of the fishing year. The ACLs, in round weight, are as follows:

(1) *Tilefish*—14,642 lb (6,641 kg).

(2) *Aquarium trade species*—8,155 lb (3,699 kg).

(e) *Closure provisions.* (1) *Restrictions applicable after a Puerto Rico closure.*

(i) Restrictions applicable after a Puerto Rico commercial closure for reef fish species or species groups. During the closure period announced in the notification filed pursuant to paragraph (a)(2)(i) of this section, the commercial sector for species or species groups included in the notification is closed and such species or species groups in or from the Puerto Rico management area may not be purchased or sold. Harvest or possession of such species or species groups in or from the Puerto Rico management area is limited to the recreational bag and possession limits unless the recreational sector for the species or species group is closed and the restrictions specified in paragraph (e)(1)(iii) of this section apply.

(ii) Restrictions applicable after a Puerto Rico recreational closure for reef fish species or species groups. During the closure period announced in the notification filed pursuant to paragraph (a)(2)(ii) of this section, the recreational sector for species or species groups included in the notification is closed and the recreational bag and possession limits for such species or species groups in or from the Puerto Rico management area are zero. If the seasons for both the commercial and recreational sectors for such species or species groups are closed, the restrictions specified in paragraph (e)(1)(iii) of this section apply.

(iii) Restrictions applicable when both Puerto Rico commercial and Puerto Rico recreational sectors for reef fish species or species groups are closed. If the seasons for both the commercial and recreational sectors for a species or species group are closed, such species or species groups in or from the Puerto Rico management area may not be harvested, possessed, purchased, or sold, and the bag and possession limits for such species or species groups in or from the Puerto Rico management area are zero.

(iv) Restrictions applicable after a spiny lobster closure in Puerto Rico. During the closure period announced in the notification filed pursuant to paragraph (a)(3) of this section, both the commercial and recreational sectors are closed. Spiny lobster in or from the Puerto Rico management area may not be harvested, possessed, purchased, or sold, and the bag and possession limits for spiny lobster in or from the Puerto Rico management area are zero.

(2) Restrictions applicable after a St. Croix, St. Thomas/St. John, or Caribbean EEZ closure. During the closure period announced in the notification filed pursuant to paragraph (b), (c), or (d) of this section, such species or species groups in or from the applicable management area of the Caribbean EEZ may not be harvested, possessed, purchased, or sold, and the bag and possession limits for such species or species groups in or from the applicable management area of the Caribbean EEZ are zero.

■ 2. In § 622.491, revise the first sentence of paragraph (b) to read as follows:

§ 622.491 Seasonal and area closures.

* * * * *

(b) Pursuant to the procedures and criteria established in the FMP for Queen Conch Resources in Puerto Rico and the U.S. Virgin Islands, when the ACL, as specified in § 622.12(b)(1), is reached or projected to be reached, the Regional Administrator will close the Caribbean EEZ to the harvest and possession of queen conch, in the area east of 64°34′ W. longitude which includes Lang Bank, east of St. Croix, U.S. Virgin Islands, by filing a notification of closure with the Office of the Federal Register. * * *

[FR Doc. 2017–19927 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 82, No. 180

Tuesday, September 19, 2017

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

September 14, 2017.

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 are requested regarding (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including 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 October 19, 2017 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.

Foreign Agricultural Service

Title: Emerging Markets Program.

OMB Control Number: 0551–NEW.

Summary of Collection: The Emerging Markets Program is administered by the Foreign Agricultural Service (FAS) pursuant to its delegated authority under Section 1542(d)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended, 7 U.S.C. 5622 noted. The program supports assessing and providing technical assistance to emerging markets in furtherance of expanding markets for U.S. agricultural products. The program was reauthorized by the Agricultural Act of 2014 (Section 3205) which became effective on February 7, 2014.

Need and Use of the Information: Under the USDA Emerging Markets Program, information will be collected from applicants desiring to receive grants under the program to determine the viability of requests for resources to implement activities authorized under the program. Recipients of grants under the program must submit performance and financial reports. The submitted information will be used to develop effective grant agreements and assure that statutory requirements and program objectives are met.

Description of Respondents: Not-for-profit institutions; Business or other for-profit; Federal Government; State, Local, or Tribal Government.

Number of Respondents: 50.

Frequency of Responses: Recordkeeping; Reporting: Annually.

Total Burden Hours: 1,600.

Foreign Agricultural Service

Title: Quality Samples Program.

OMB Control Number: 0551–NEW.

Summary of Collection: The Quality Samples Program is authorized by Section 5 of the Commodity Credit Corporation Charter Act, 15 U.S.C. 714c(f), which became effective on November 15, 1999. Section 5 provides that in the fulfillment of its purposes and in carrying out its annual budget programs submitted to and approved by the Congress pursuant to Chapter 91 of Title 31, the Corporation is authorized to use its general powers only to export or cause to be exported, or aid in the development of foreign markets for, agricultural commodities (other than tobacco), including fish and fish products, without regard to whether such fish are harvested in aquacultural operations. By this authority the program pays for U.S. commodity samples and shipping to foreign ports in order to demonstrate the quality of the U.S. product to industrial users who are unfamiliar with the product.

Need and Use of the Information: Under the USDA Quality Samples Program, information will be gathered from applicants desiring to receive grants under the program to determine the viability of request for resources to implement activities in foreign countries. The collected information will be used to develop effective grant agreements and assure that statutory requirements and program objectives are met.

Description of Respondents: Not-for-profit institutions; Business or other for-profit; Federal Government.

Number of Respondents: 10.

Frequency of Responses: Recordkeeping; Reporting: Annually.

Total Burden Hours: 1,100.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2017–19879 Filed 9–18–17; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF AGRICULTURE

Departmental Management, Office of Procurement and Property Management; Notice of Request for Comments on Extension of a Currently Approved Information Collection

AGENCY: Departmental Management, Department of Agriculture.

ACTION: Notice and request for comments.

SUMMARY: This notice announces the Department of Agriculture, Departmental Management, Office of Procurement and Property Management's intention to request an extension of a currently approved information collection, Guidelines for Designating Biobased Products for Federal Procurement.

DATES: Comments on this notice must be received by November 20, 2017 to be assured of consideration.

ADDRESSES: The Office of Procurement and Property Management invites interested persons to submit comments on this notice. Comments may be submitted by one of the following methods:

• *Federal eRulemaking Portal:* This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Email: biopreferred_support@amecfw.com.* Include ''Notice on Request for Comments on Extension of a Currently Approved Information Collection'' on the subject line. Please include your name and address in your message.

• *Mail/commercial/hand delivery:* Mail or deliver your comments to: Karen Zhang, USDA, Office of Procurement and Property Management, 1400 Independence Ave. SW., Washington, DC 20250.

Instructions: All items submitted by mail or electronic mail must include the Agency name (Office of Procurement and Property Management). Comments received in response to this notice will be made available for public inspection and posted without change, including any personal information, to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Karen Zhang, USDA, Office of Procurement and Property Management, 1400 Independence Ave. SW., Washington, DC 20250.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the intention of the USDA, Office of Procurement and Property Management, to request approval for an extension of an existing collection.

Title: Guidelines for Designating Biobased Products for Federal Procurement.

OMB Control Number: 0503–0011.

Expiration Date of Approval: March 31, 2018.

Type of Request: Extension of a currently approved information collection.

Abstract: The USDA BioPreferred Program provides that qualifying biobased products that fall under product categories (generic groups of biobased products) that have been designated for preferred procurement by rule making are required to be purchased by Federal agencies in lieu of their fossil energy-based counterparts, with certain limited exceptions. Further, USDA is required by section 9002 of the Farm Security and Rural Investment Act of 2002, as amended by the Food, Conservation, and Energy Act of 2008 and the Agricultural Act of 2014, to provide certain information on qualified biobased products to Federal agencies. To meet these statutory requirements, USDA will gather that information from manufacturers and vendors of biobased products. The information sought by USDA can be transmitted electronically using the Web site *http://www.biopreferred.gov.* If for any reason the requested information cannot be electronically transmitted, USDA will provide technical assistance to support the transmission of information to USDA. The information collected will enable USDA to meet statutory information requirements that will then permit USDA to designate product categories for preferred procurement under the BioPreferred Program. Once product categories are designated, manufacturers and vendors of qualifying biobased products that fall under these designated product categories will benefit from preferred procurement by Federal agencies.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 40 hours per response.

Respondents: Manufacturers and vendors of biobased products. Participation is entirely voluntary.

Estimated Annual Number of Respondents: 220.

Estimated Number of Responses per Respondent: One per manufacturer or vendor.

Estimated Total Annual Burden on Respondents: 8,800 hours, one time only. Manufacturers and vendors are only asked to respond once for each stand-alone product or product family. Therefore, there is no ongoing annual paperwork burden on respondents unless they wish to add additional stand-alone products or product families. Furthermore, their participation in the BioPreferred Program is entirely voluntary.

Comments are invited on: (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, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Karen Zhang, USDA, Office of Procurement and Property Management, 1400 Independence Ave. SW., Washington, DC 20250. All comments received will be available for public inspection during regular business hours at the same address.

All responses to this notice will be summarized and included in the request for OMB (Office of Management and Budget) approval. All comments will become a matter of public record.

Dated: August 31, 2017.

Malcom A. Shorter,

Acting Assistant Secretary for Administration, U.S. Department of Agriculture.

[FR Doc. 2017–19421 Filed 9–18–17; 8:45 am]

BILLING CODE 3410–93–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the District of Columbia Advisory Committee

AGENCY: Commission on Civil Rights.

ACTION: Announcement of monthly planning meeting.

SUMMARY: 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 District of Columbia Advisory Committee to the Commission will convene at 11:30 a.m. (EDT) Tuesday, October 10, 2017 at the offices of the U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue NW., Suite 1150, Washington, DC 20425. The purpose of the planning meeting is to discuss and select the topic for the committee's civil rights project.

DATES: October 10, 2017.

Time: 11:30 a.m. (EDT).

ADDRESSES: U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue NW., Suite 1150, Washington, DC 20425.

FOR FURTHER INFORMATION CONTACT: Ivy L. Davis, at *ero@usccr.gov* or by phone at 202–376–7533.

SUPPLEMENTARY INFORMATION: Persons with accessibility needs should contact the Eastern Regional Office no later than 10 working days before the scheduled meeting by sending an email to the following email address at *ero@usccr.gov.*

Members of the public are entitled to submit written comments. The comments must be received in the regional office by November 13, 2017. Comments may be mailed to the Eastern Regional Office, U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue, Suite 1150, Washington, DC 20425 or emailed to Evelyn Bohor at *ero@usccr.gov.* Persons who desire additional information may contact the Eastern Regional Office at 202–376–7533.

Records and documents discussed during the meeting will be available for public viewing as they become available at *http://facadatabase.gov/committee/meetings.aspx?cid=241;* click the ''Meeting Details'' and ''Documents'' links. Records generated from this meeting may also 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 numbers, email or street address.

Agenda

I. Welcome and Introductions
—Rollcall
II. Planning Meeting
—Discuss Mental Health Project and Other Topics for Civil Right Project
III. Other Business
IV. Adjournment

Dated: September 14, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017–19895 Filed 9–18–17; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–840]

Certain Frozen Warmwater Shrimp From India: Notice of Correction to the Final Results of the 2015–2016 Antidumping Duty Administrative Review

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

FOR FURTHER INFORMATION CONTACT: Blaine Wiltse or Manuel Rey, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6345 or (202) 482–5518, respectively.

SUPPLEMENTARY INFORMATION: On September 5, 2017, the Department of Commerce (the Department) issued the final results of the administrative review of the antidumping duty order on certain frozen warmwater shrimp from India for the period of review February 1, 2015, through January 31, 2016. However, that document contained an incorrect list of companies covered by the review. This notice provides the correct list of company names.

Final Results of the Review

We are assigning the following dumping margins to the firms listed below for the period February 1, 2015, through January 31, 2016:

Manufacturer/exporter	Percent margin
Falcon Marine Exports Limited/K.R. Enterprises	0.00
The Liberty Group	0.84

Review-Specific Average Rate Applicable to the Following Companies:

Manufacturer/exporter	Percent margin
Abad Fisheries	0.84
Adilakshmi Enterprises	0.84
Akshay Food Impex Pvt., Limited	0.84
Alashore Marine Exports (P) Ltd	0.84
Allana Frozen Foods Pvt. Ltd	0.84
Allanasons Ltd	0.84
AMI Enterprises	0.84
Amulya Seafoods	0.84
Anand Aqua Exports	0.84
Ananda Aqua Applications/Ananda Aqua Exports (P) Limited/Ananda Foods	0.84
Ananda Enterprises (India) Private Limited	0.84
Angelique Intl	0.84
Anjaneya Seafoods	0.84
Apex Frozen Foods Private Limited	0.84
Aquatica Frozen Foods Global Pvt. Ltd	0.84
Arvi Import & Export	0.84
Asvini Exports	0.84
Asvini Fisheries Private Limited	0.84
Avanti Feeds Limited	0.84
Ayshwarya Seafood Private Limited	0.84
B-One Business House Pvt. Ltd	0.84
B R Traders	0.84
Baby Marine Exports	0.84
Baby Marine International	0.84
Baby Marine Sarass	0.84
Baby Marine Ventures	0.84
Balasore Marine Exports Private Limited	0.84
Bay Seafoods	0.84
Bhatsons Aquatic Products	0.84
Bhavani Seafoods	0.84
Bijaya Marine Products	0.84
Blue Fin Frozen Foods Pvt. Ltd	0.84
Blue Water Foods & Exports P. Ltd	0.84
Bluepark Seafoods Private Ltd	0.84
BMR Exports	0.84
BMR Industries Private Limited	0.84

Manufacturer/exporter	Percent margin
Britto Exports	0.84
C P Aquaculture (India) Ltd	0.84
Calcutta Seafoods Pvt. Ltd	0.84
Canaan Marine Products	0.84
Capithan Exporting Co.	0.84
Cargomar Private Limited	0.84
Castlerock Fisheries Ltd	0.84
Chemmeens (Regd)	0.84
Cherukattu Industries (Marine Div.)	0.84
Choice Canning Company	0.84
Choice Trading Corporation Private Limited	0.84
Coastal Aqua	0.84
Coastal Corporation Ltd	0.84
Cochin Frozen Food Exports Pvt. Ltd	0.84
Coreline Exports	0.84
Corlim Marine Exports Pvt. Ltd	0.84
D2 D Logistics Private Limited	0.84
Damco India Private Limited	0.84
Delsea Exports Pvt. Ltd	0.84
Devi Aquatech Private Limited	0.84
Devi Fisheries Limited/Satya Seafoods Private Limited/Usha Seafoods	0.84
Devi Sea Foods Limited [1]	0.84
Diamond Seafoods Exports/Edhayam Frozen Foods Pvt. Ltd/Kadalkanny Frozen Foods/Theva & Company	0.84
Esmario Export Enterprises	0.84
Exporter Coreline Exports	0.84
Febin Marine Foods	0.84
Five Star Marine Exports Private Limited	0.84
Forstar Frozen Foods Pvt. Ltd	0.84
Frontline Exports Pvt. Ltd	0.84
G A Randerian Ltd	0.84
Gadre Marine Exports	0.84
Galaxy Maritech Exports P. Ltd	0.84
Gayatri Seafoods	0.84
Geo Aquatic Products (P) Ltd	0.84
Geo Seafoods	0.84
Goodwill Enterprises	0.84
Grandtrust Overseas (P) Ltd	0.84
GVR Exports Pvt. Ltd	0.84
Haripriya Marine Export Pvt. Ltd	0.84
Harmony Spices Pvt. Ltd	0.84
HIC ABF Special Foods Pvt. Ltd	0.84
Hindustan Lever, Ltd	0.84
Hiravata Ice & Cold Storage	0.84
Hiravati Exports Pvt. Ltd	0.84
Hiravati International Pvt. Ltd (located at APM—Mafco Yard, Sector—18, Vashi, Navi, Mumbai—400 705, India)	0.84
Hiravati International Pvt. Ltd (located at Jawar Naka, Porbandar, Gujarat, 360 575, India)	0.84
IFB Agro Industries Ltd	0.84
Indian Aquatic Products	0.84
Indo Aquatics	0.84
Indo Fisheries	0.84
Indo French Shellfish Company Private Limited	0.84
Innovative Foods Limited	0.84
International Freezefish Exports	0.84
Interseas	0.84
ITC Limited, International Business	0.84
ITC Ltd	0.84
Jagadeesh Marine Exports	0.84
Jaya Satya Marine Exports	0.84
Jaya Satya Marine Exports Pvt. Ltd	0.84
Jaya Lakshmi Sea Foods Pvt. Limited	0.84
Jinny Marine Traders	0.84
Jiya Packagings	0.84
K R M Marine Exports Ltd	0.84
K V Marine Exports	0.84
Kalyan Aqua & Marine Exp. India Pvt. Ltd	0.84
Kalyanee Marine	0.84
Kanch Ghar	0.84
Karunya Marine Exports Private Limited	0.84
Kay Kay Exports	0.84
Kay Kay Exports (Kay Kay Foods)	0.84
Kings Marine Products	0.84
KNC Agro Limited	0.84
Koluthara Exports Ltd	0.84

Manufacturer/exporter	Percent margin
Landauer Ltd	0.84
Libran Cold Storages (P) Ltd	0.84
Magnum Estates Limited	0.84
Magnum Export	0.84
Magnum Sea Foods Limited	0.84
Malabar Arabian Fisheries	0.84
Malnad Exports Pvt. Ltd	0.84
Mangala Marine Exim India Pvt. Ltd	0.84
Mangala Seafoods	0.84
Mangala Sea Products	0.84
Marine Harvest India	0.84
Meenaxi Fisheries Pvt. Ltd	0.84
Milesh Marine Exports Private Limited	0.84
MSRDR Exports	0.84
MTR Foods	0.84
Munnangi Sea Foods Pvt. Ltd	0.84
N.C. John & Sons (P) Ltd	0.84
Naga Hanuman Fish Packers	0.84
Naik Frozen Foods Private Limited	0.84
Naik Seafoods Ltd	0.84
Navayuga Exports	0.84
Neeli Aqua Private Limited	0.84
Nekkanti Sea Foods Limited	0.84
Nezami Rekha Sea Foods Private Limited	0.84
NGR Aqua International	0.84
Nila Sea Foods Exports	0.84
Nila Sea Foods Pvt. Ltd	0.84
Nine Up Frozen Foods	0.84
Nutrient Marine Foods Ltd	0.84
Oceanic Edibles International Limited	0.84
Overseas Marine Export	0.84
Paragon Sea Foods Pvt. Ltd	0.84
Paramount Seafoods	0.84
Parayil Food Products Pvt. Ltd	0.84
Penver Products Pvt. Ltd	0.84
Pesca Marine Products Pvt. Ltd	0.84
Pijikay International Exports P Ltd	0.84
Pisces Seafood International	0.84
Premier Exports International	0.84
Premier Marine Foods	0.84
Premier Seafoods Exim (P) Ltd	0.84
R V R Marine Products Limited	0.84
Raa Systems Pvt. Ltd	0.84
Raju Exports	0.84
Ram's Assorted Cold Storage Ltd	0.84
Raunaq Ice & Cold Storage	0.84
Raysons Aquatics Pvt. Ltd	0.84
Razban Seafoods Ltd	0.84
RBT Exports	0.84
RDR Exports	0.84
RF Exports	0.84
Riviera Exports Pvt. Ltd	0.84
Rohi Marine Private Ltd	0.84
S & S Seafoods	0.84
S Chanchala Combines	0.84
S.A. Exports	0.84
S.J. Seafoods	0.84
Safa Enterprises	0.84
Sagar Foods	0.84
Sagar Grandhi Exports Pvt. Ltd	0.84
Sagar Samrat Seafoods	0.84
Sagarvihar Fisheries Pvt. Ltd	0.84
Sai Marine Exports Pvt. Ltd	0.84
Sai Sea Foods	0.84
Salvam Exports (P) Ltd	0.84
Sanchita Marine Products Private Limited	0.84
Sandhya Aqua Exports	0.84
Sandhya Aqua Exports Pvt. Ltd	0.84
Sandhya Marines Limited	0.84
Santhi Fisheries & Exports Ltd	0.84
Sarveshwari Exports	0.84
Sawant Food Products	0.84
Sea Foods Private Limited	0.84

Manufacturer/exporter	Percent margin
Seagold Overseas Pvt. Ltd	0.84
Selvam Exports Private Limited	0.84
Sharat Industries Ltd	0.84
Sharma Industries	0.84
Shimpo Exports Pvt. Ltd	0.84
Shippers Exports	0.84
Shiva Frozen Food Exports Pvt. Ltd	0.84
Shree Datt Aquaculture Farms Pvt. Ltd	0.84
Shroff Processed Food & Cold Storage P Ltd	0.84
Silver Seafood	0.84
Sita Marine Exports	0.84
Sowmya Agri Marine Exports	0.84
Sprint Exports Pvt. Ltd	0.84
Sri Chandrakantha Marine Exports	0.84
Sri Sakkthi Cold Storage	0.84
Sri Satya Marine Exports	0.84
Sri Venkata Padmavathi Marine Foods Pvt. Ltd	0.84
Srikanth International	0.84
Star Agro Marine Exports Private Limited	0.84
Star Organic Foods Incorporated	0.84
Sterling Foods	0.84
Sun-Bio Technology Ltd	0.84
Sunrise Aqua Food Exports	0.84
Supran Exim Private Limited	0.84
Suryamitra Exim Pvt. Ltd	0.84
Suvarna Rekha Exports Private Limited	0.84
Suvarna Rekha Marines P Ltd	0.84
TBR Exports Pvt Ltd	0.84
Teekay Marine P Ltd	0.84
The Waterbase Ltd	0.84
Triveni Fisheries P Ltd	0.84
U & Company Marine Exports	0.84
Uniroyal Marine Exports Ltd	0.84
Unitriveni Overseas	0.84
V V Marine Products	0.84
V.S. Exim Pvt Ltd	0.84
Vasista Marine	0.84
Veejay Impex	0.84
Veerabhadra Exports Private Limited	0.84
Veronica Marine Exports Private Limited	0.84
Victoria Marine & Agro Exports Ltd	0.84
Vinner Marine	0.84
Vishal Exports	0.84
Vitality Aquaculture Pvt., Ltd	0.84
Wellcome Fisheries Limited	0.84
West Coast Frozen Foods Private Limited	0.84
Z A Sea Foods Pvt. Ltd	0.84

[1] Shrimp produced and exported by Devi Sea Foods (Devi) was excluded from the antidumping duty order on frozen warmwater shrimp from India effective February 1, 2009. *See Certain Frozen Warmwater Shrimp from India: Final Results of Antidumping Duty Administrative Review, Partial Rescission of Review, and Notice of Revocation of Order in Part,* 75 FR 41813, 41814 (July 19, 2010). Accordingly, we are conducting this administrative review with respect to Devi only for shrimp produced in India where Devi acted as either the manufacturer or exporter (but not both).

This correction to the final results of administrative review is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: September 12, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2017–19913 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Marine Mammals and Endangered Species

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

ACTION: Notice; issuance of permits and permit amendments.

SUMMARY: Notice is hereby given that permits or permit amendments have been issued to the following entities under the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA), as applicable.

ADDRESSES: The permits and related documents are available for review upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427–8401; fax (301) 713–0376.

FOR FURTHER INFORMATION CONTACT: Carrie Hubard (File No. 16325–01, 19425–01, and 19655) and Erin Markin (File No. 20315) at (301) 427–8401.

SUPPLEMENTARY INFORMATION: Notices were published in the **Federal Register** on the dates listed below that requests for a permit or permit amendment had been submitted by the below-named applicants. To locate the **Federal Register** notice that announced our receipt of the application and a complete description of the research, go to *www.regulations.gov* and search on the permit number provided in the table below.

File No.	RIN	Applicant	Receipt of application **Federal Register** notice	Permit or amendment issuance date
16325–01	0648–XB042	Jooke Robbins, Ph.D., Center for Coastal Studies, 5 Holway Avenue, Provincetown, MA 02567.	77 FR 12244; February 29, 2012.	August 16, 2017.
19425–01	0648–XE009	Melissa McKinney, Ph.D., University of Connecticut, 3107 Horsebarn Hill Road, U–4210, Storrs, CT 06269.	82 FR 29277; June 28, 2017.	August 17, 2017.
19655	0648–XF085	Adam Pack, Ph.D., University of Hawaii at Hilo, 200 West Kawili Street, Hilo, HI 96720.	82 FR 3727; January 12, 2017.	August 3, 2017.
20315	0648–XF215	Kristen Hart, Ph.D., U.S. Geological Survey, Southeast Ecological Science Center, 3321 College Avenue, Davie, FL 33314.	82 FR 11181; February 21, 2017.	August 11, 2017.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

As required by the ESA, as applicable, issuance of these permit was based on a finding that such permits: (1) Were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in Section 2 of the ESA.

Authority: The requested permits have been issued under the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), as applicable.

Dated: September 13, 2017.

Julia Harrison,

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

[FR Doc. 2017–19846 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Alaska Region Logbook Family of Forms

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before November 20, 2017.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *pracomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Vernon Shoemaker, (907) 586–7228.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for a revision/extension of a currently approved information collection.

The Magnuson-Stevens Fishery Conservation and Management Act 16 U.S.C. 1801 *et seq.* authorizes the North Pacific Fishery Management Council to prepare and amend fishery management plans for any fishery in waters under its jurisdiction. National Marine Fisheries Service, Alaska Region (NMFS) manages (1) the crab fisheries in the Exclusive Economic Zone waters off the coast of Alaska under the Fishery Management Plan for Bering Sea and Aleutian Islands Crab, (2) groundfish under the Fishery Management Plan for the Groundfish of the Bering Sea and Aleutian Islands Management Area, and (3) groundfish under the Fishery Management Plan for Groundfish of the Gulf of Alaska. The International Pacific Halibut Commission (IPHC) and NMFS manage fishing for Pacific halibut (*Hippoglossus stenolepis*) through regulations established under the authority of the Northern Pacific Halibut Act of 1982. The IPHC promulgates regulations governing the halibut fishery under the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea.

Vessels required to have a Federal Fisheries Permit are issued free daily fishing logbooks (DFLs) for harvesters and daily cumulative production logbooks (DCPL) for processors to record groundfish, Crab Rationalization Program crab, Individual Fishing Quota (IFQ) halibut, IFQ sablefish, Western Alaska Community Development Quota Program halibut, and prohibited species catch information. Catcher vessels under 60 ft (18.3 m) length overall are not required to maintain DFLs. Multiple self-copy logsheets within each logbook are available for distribution to the harvester, processor, observer program, and NOAA Office for Law Enforcement. The longline or pot gear logbooks have an additional logsheet for submittal to the IPHC.

As electronic logbooks become available, paper logbooks are discontinued and removed from this collection. The forms and DFL and DCPL logsheets may be viewed on the NMFS Alaska Region Home Page at *https://alaskafisheries.noaa.gov/fisheries/rr-log.*

In addition to the logbooks, this collection includes the check-in/check-out reports for shoreside processors and motherships, the product transfer report, and the U.S. vessel activity report.

The information collection currently approved under OMB Control Number

0648–0743 (Alaska Notification of Intent to Process Aleutian Islands Pacific Cod) will be merged into this collection. Under that collection, the City Manager of Adak and the City Administrator of Atka notify NMFS of their city's intent to process Pacific cod in the upcoming year.

II. Method of Collection

Paper logbooks and paper and electronic reports are required from participants. Methods of submittal include mail, Internet, and facsimile transmission of paper forms.

The notification from the City Manager of Adak and the City Administrator of Atka of their city's intent to process Pacific cod must be submitted by certified mail through the United States Postal Service.

III. Data

OMB Control Number: 0648–0213.

Form Number(s): None.

Type of Review: Regular submission (revision/extension of a current information collection).

Affected Public: Individuals or households; business or other for-profit organizations.

Estimated Number of Respondents: 606.

Estimated Time per Response: 35 minutes per active response and 5 minutes per inactive response for Catcher Vessel Longline and Pot Gear DFL; 18 minutes for active response and 5 minutes for inactive response for Catcher Vessel Trawl Gear DFL; 7 minutes for Mothership Check-in/Check-out Report; 50 minutes per active response and 5 minutes per inactive response for Catcher/processor Longline and Pot Gear DCPL; 5 minutes for Shoreside Processor Check-in/Check-out Report; 20 minutes for Product Transfer Report; 14 minutes for Vessel Activity Report; and 30 minutes for Notification of Intent to Process Aleutian Islands Pacific Cod (currently approved under 0648–0743).

Estimated Total Annual Burden Hours: 15,692 hours.

Estimated Total Annual Cost to Public: $9,536 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

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

Dated: September 14, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017–19887 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF657

Atlantic Coastal Fisheries Cooperative Management Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) renewal application from the Commercial Fisheries Research Foundation (CFRF) contains all of the required information and warrants further consideration. This permit would exempt participating commercial fishing vessels from Federal lobster escape vent, trap limit, and trap tag regulations, as well as restrictions on temporary possession of egg-bearing and v-notched female and sublegal-sized juvenile lobsters, to facilitate research on the abundance and distribution of juvenile American lobster and Jonah crab along the northwest Atlantic coast. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act and the Atlantic Coastal Fisheries Cooperative Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed Exempted Fishing Permits.

DATES: Comments must be received on or before October 4, 2017.

ADDRESSES: You may submit written comments by any of the following methods:

- *Email: NMFS.GAR.EFP@noaa.gov.* Include in the subject line ''Comments on CFRF Lobster Study Fleet EFP.''
- *Mail:* John K. Bullard, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope ''Comments on CFRF Lobster Study Fleet EFP.''
- *Fax:* (978) 281–9135.

FOR FURTHER INFORMATION CONTACT: Cynthia Hanson, Fishery Management Specialist, 978–281–9180, *Cynthia.Hanson@noaa.gov.*

SUPPLEMENTARY INFORMATION: The Commercial Fisheries Research Foundation submitted a complete application to renew an existing Exempted Fishing Permit on August 10, 2017, to conduct fishing activities that the regulations would otherwise restrict. The EFP would authorize 18 vessels to conduct a study using ventless traps to survey the abundance and distribution of juvenile American lobster and Jonah crab in regions and times of year not covered by traditional surveys. Overall, this EFP proposes to use a total of 54 ventless lobster traps throughout lobster management areas 2, 3, 4, and 5; covering statistical areas 514, 515, 521, 522, 525, 526, 533, 534, 537, 538, 539, 541, 542, 543, 561, 562, 613, 615, 616, 622, 623, 624, 626, 627, 628, 629, 632, 633, 634, 636, 637, 638, and 640. Maps depicting these areas are available on request. The study is designed to aid and inform management by addressing the questions of changing reproduction and recruitment dynamics of lobster, and developing a foundation of knowledge for the emergent Jonah crab fishery.

Funding for this study has been awarded through the Campbell Foundation and the Saltonstall-Kennedy Grants Program (Grant #NA17NMF4270208). For this research, CFRF is requesting exemptions from the following Federal lobster regulations:

1. Gear specification requirements in 50 CFR 697.21(c) to allow for closed escape vents and smaller trap mesh and entrance heads;

2. Trap limit requirements, as listed in § 697.19, for areas 2, 3, 4 and 5, to be exceeded by 3 additional traps per fishing vessel for a total of 54 additional traps;

3. Trap tag requirements, as specified in § 697.19(j), to allow for the use of untagged traps (though each

experimental trap will have the participating fisherman's identification attached); and

4. Possession restrictions in §§ 697.20(a), 697.20(d), and 697.20(g) to allow for temporary possession of juvenile, v-notched, and egg-bearing lobsters for onboard biological sampling.

If the EFP is approved, this research would take place during the regular fishing activity of the participating 18 federally permitted commercial fishing vessels: 6 ''inshore'' vessels in lobster management area 2 and 12 ''offshore'' vessels in lobster management areas 3, 4, and 5. Each participating vessel would have up to three modified traps attached to a standard, Atlantic Large Whale-compliant trap trawl. No more than 54 total modified traps would be in the water at any time. Modifications to conventional lobster traps used in this study include a closed escape vents, single parlors, and smaller mesh sizes and entrance heads, all to allow for the capture of juvenile lobsters and Jonah crabs. Sampling would occur during regular fishing activity on each vessel weekly in area 2, and every 10 days in the other areas.

During sampling, all lobsters and Jonah crabs will be counted, sexed, and measured. Other biological information will be recorded on both lobster and Jonah crab catch, including shell hardness and presence of eggs. The possession exemptions are required to temporarily hold catch onboard for biological sampling before animals are promptly returned to the sea. No catch of any species from experimental traps will be landed for sale. All data collected will be made available to state and Federal management agencies to improve and enhance the available data for these two crustacean species.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the study period. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: September 14, 2017.

Emily H. Menashes,

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

[FR Doc. 2017–19925 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Individual Fishing Quotas for Pacific Halibut and Sablefish in the Alaska Fisheries

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before November 20, 2017.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *pracomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Stephanie Warpinski, (907) 586–7228.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for revision and extension of a currently approved information collection.

The National Marine Fisheries Service (NMFS) established the Individual Fishing Quota (IFQ) Program to improve the long-term productivity of the sablefish and Pacific halibut fisheries by further promoting the conservation and management objectives of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.,* (with respect to sablefish) and the Northern Pacific Halibut Act of 1982 (with respect to Pacific halibut) while retaining the character and distribution of the fishing fleets as much as possible. The IFQ Program includes several provisions, such as ownership caps and vessel use caps that protect small harvesters and processors, part-time participants, and entry-level participants that otherwise could be adversely affected by excessive consolidation.

The IFQ Program also includes other restrictions to prevent the halibut and sablefish fisheries from domination by large boats or by any particular vessel class. NMFS designed the requirements to maintain a predominantly owner-operated fishery, which was a key characteristic of the halibut and sablefish fisheries prior to the implementation of the IFQ Program. The IFQ Program provides each fisherman an IFQ that can be used any time during the open season to allow each fisherman to set his/her own pace and fishing effort.

Under the IFQ Program, quota share (QS) represents a harvesting privilege for a person. Annually, NMFS issues IFQ to QS holders to harvest specified poundage. The specific amount of IFQ held by a person is determined by the number of QS units held, the total number of QS units issued in a specific regulatory area, and the total pounds of sablefish or halibut allocated for the IFQ fisheries in a particular year. Fishermen may harvest the IFQ over the entire fishing season, which extends approximately from March through November 15.

The IFQ Manual Landing Report form will be removed from this information collection. This form is approved under OMB Control Number 0648–0515 (Alaska Interagency Electronic Reporting System (IERS)) and will remain in that collection.

II. Method of Collection

''Fillable'' forms and applications are available from the NMFS Alaska Region Web site at *https://alaskafisheries.noaa.gov/fisheries-applications,* except for those forms completed by NOAA Office of Law Enforcement officers via the telephone. These forms and applications may be completed on the computer by the participant, downloaded, printed, and faxed to NMFS.

III. Data

OMB Control Number: 0648–0272.

Form Number(s): None.

Type of Review: Regular submission (revision and extension of a current information collection).

Affected Public: Business or other for-profit organizations; Individuals or households; Not-for-profit institutions.

Estimated Number of Respondents: 1,639.

Estimated Time per Response: Application for Eligibility to receive QS/IFQ (TEC), QS holder form (Identification of Ownership Interest), Application for Transfer of QS/IFQ (includes sweep-up); Application for Military Transfer, and Application for

Emergency Medical Transfer, 2 hours each; Application for IFQ/CDQ Hired Master Permit, Application for Registered Buyer permit, QS/IFQ Designated Beneficiary Form, and Application for replacement of certificates, permits, or licenses, 30 minutes each; Registered Buyer landing report, and Transshipment Authorization, 12 minutes each; Prior Notice of Landing (PNOL), and IFQ Departure Report, 15 minutes each; IFQ Administrative Waiver, and Dockside Sales Receipt, 6 minutes each.

Estimated Total Annual Burden Hours: 3,930 hours.

Estimated Total Annual Cost to Public: $5,127 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

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

Dated: September 14, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017–19888 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Limitations of Duty- and Quota-Free Imports of Apparel Articles Assembled in Beneficiary Sub-Saharan African Countries From Regional and Third-Country Fabric

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Publishing the new 12-month cap on duty- and quota-free benefits.

DATES: Applicable October 1, 2017.

FOR FURTHER INFORMATION CONTACT: Maria D'Andrea-Yothers, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–1550.

SUPPLEMENTARY INFORMATION:

Authority: Title I, Section 112(b)(3) of the Trade and Development Act of 2000 (TDA 2000), Public Law (Pub. L.) 106–200, as amended by Division B, Title XXI, section 3108 of the Trade Act of 2002, Pub. L. 107–210; Section 7(b)(2) of the AGOA Acceleration Act of 2004, Pub. L. 108–274; Division D, Title VI, section 6002 of the Tax Relief and Health Care Act of 2006 (TRHCA 2006), Pub. L. 109–432, and section 1 of The African Growth and Opportunity Amendments (Pub. L. 112–163), August 10, 2012; Presidential Proclamation 7350 of October 2, 2000 (65 FR 59321); Presidential Proclamation 7626 of November 13, 2002 (67 FR 69459); and Title I, Section 103(b)(2) and (3) of the Trade Preferences Extension Act of 2015, Pub. L. 114–27, June 29, 2015.

Title I of TDA 2000 provides for duty- and quota-free treatment for certain textile and apparel articles imported from designated beneficiary sub-Saharan African countries.

Section 112(b)(3) of TDA 2000 provides duty- and quota-free treatment for apparel articles wholly assembled in one or more beneficiary sub-Saharan African countries from fabric wholly formed in one or more beneficiary sub-Saharan African countries from yarn originating in the United States or one or more beneficiary sub-Saharan African countries.

This preferential treatment is also available for apparel articles assembled in one or more lesser-developed beneficiary sub-Saharan African countries, regardless of the country of origin of the fabric used to make such articles, subject to quantitative limitation. Public Law 114–27 extended this special rule for lesser-developed countries through September 30, 2025.

The AGOA Acceleration Act of 2004 provides that the quantitative limitation for the twelve-month period beginning October 1, 2017 will be an amount not to exceed 7 percent of the aggregate square meter equivalents of all apparel articles imported into the United States in the preceding 12-month period for which data are available. *See* Section 112(b)(3)(A)(ii)(I) of TDA 2000, as amended by Section 7(b)(2)(B) of the AGOA Acceleration Act of 2004. Of this overall amount, apparel imported under the special rule for lesser-developed countries is limited to an amount not to exceed 3.5 percent of all apparel articles imported into the United States in the preceding 12-month period. *See* Section 112(b)(3)(B)(ii)(II) of TDA 2000, as amended by Section 6002(a)(3) of TRHCA 2006. The Annex to Presidential Proclamation 7350 of October 2, 2000 directed CITA to publish the aggregate quantity of imports allowed during each 12-month period in the **Federal Register**.

For the one-year period, beginning on October 1, 2017, and extending through September 30, 2018, the aggregate quantity of imports eligible for preferential treatment under these provisions is 2,022,822,376 square meters equivalent. Of this amount, 1,011,411,188 square meters equivalent is available to apparel articles imported under the special rule for lesser-developed countries. Apparel articles entered in excess of these quantities will be subject to otherwise applicable tariffs.

These quantities are calculated using the aggregate square meter equivalents of all apparel articles imported into the United States, derived from the set of Harmonized System lines listed in the Annex to the World Trade Organization Agreement on Textiles and Clothing (ATC), and the conversion factors for units of measure into square meter equivalents used by the United States in implementing the ATC.

Terry Labat,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 2017–19841 Filed 9–18–17; 8:45 am]

BILLING CODE 3510–DR–P

COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY

Senior Executive Service Performance Review Board Membership

AGENCY: Council of the Inspectors General on Integrity and Efficiency.

ACTION: Notice.

SUMMARY: This notice sets forth the names and titles of the current membership of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) Performance Review Board as of October 1, 2017.

DATES: *Applicable:* October 1, 2017.

FOR FURTHER INFORMATION CONTACT: Individual Offices of Inspectors General at the telephone numbers listed below.

SUPPLEMENTARY INFORMATION:

I. Background

The Inspector General Act of 1978, as amended, created the Offices of Inspectors General as independent and

objective units to conduct and supervise audits and investigations relating to Federal programs and operations. The Inspector General Reform Act of 2008, established the Council of the Inspectors General on Integrity and Efficiency (CIGIE) to address integrity, economy, and effectiveness issues that transcend individual Government agencies; and increase the professionalism and effectiveness of personnel by developing policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled workforce in the Offices of Inspectors General. The CIGIE is an interagency council whose executive chair is the Deputy Director for Management, Office of Management and Budget, and is comprised principally of the 73 Inspectors General (IGs).

II. CIGIE Performance Review Board

Under 5 U.S.C. 4314(c)(1)–(5), and in accordance with regulations prescribed by the Office of Personnel Management, each agency is required to establish one or more Senior Executive Service (SES) performance review boards. The purpose of these boards is to review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive. The current members of the Council of the Inspectors General on Integrity and Efficiency Performance Review Board, as of October 1, 2017, are as follows:

Agency for International Development

Phone Number: (202) 712–1150

CIGIE Liaison—Justin Brown (202) 712–1150

Daniel Altman—Assistant Inspector General for Investigations.
Lisa McClennon—Deputy Assistant Inspector General for Investigations.
Thomas Yatsco—Assistant Inspector General for Audit.
Melinda Dempsey—Deputy Assistant Inspector General for Audit.
Alvin A. Brown—Deputy Assistant Inspector General for Audit.
Aracely Nunez-Mattocks—Assistant Inspector General for Management.
Jason Carroll—Deputy Assistant Inspector General for Management.

Department of Agriculture

Phone Number: (202) 720–8001

CIGIE Liaison—Angel N. Bethea (202) 720–8001

David R. Gray—Deputy Inspector General.
Christy A. Slamowitz—Counsel to the Inspector General.
Gilroy Harden—Assistant Inspector General for Audit.
Steven H. Rickrode, Jr.—Deputy Assistant Inspector General for Audit.
Yarisis Rivera Rojas—Deputy Assistant Inspector General for Audit.
Ann M. Coffey—Assistant Inspector General for Investigations.
Peter P. Paradis, Sr.—Deputy Inspector General for Investigations.
Lane M. Timm—Assistant Inspector General for Management.
Lisa Fleming—Deputy Assistant Inspector General for Management.

Department of Commerce

Phone Number: (202) 482–4661

CIGIE Liaison—Clark Reid (202) 482–4661

David Smith—Deputy Inspector General.
Ann Eilers—Assistant Inspector General for Administration.
Allen Crawley—Assistant Inspector General for Systems Acquisition and IT Security.
Mark Greenblatt—Assistant Inspector General for Investigations.
Andrew Katsaros—Assistant Inspector General for Audits.
E. Wade Green—Counsel to the Inspector General.
Richard Bachman—Assistant Inspector General for Audits.
Carol Rice—Assistant Inspector General for Economic and Statistical Program Assessment.
Mark Zabarsky—Assistant Inspector General for Audits.

Department of Defense

Phone Number: (703) 604–8324

Acting CIGIE Liaison—Brett Mansfield (703) 604–8300

Daniel R. Blair—Deputy Chief of Staff.
Michael S. Child, Sr.—Deputy Inspector General for Overseas Contingency Operations.
Carol N. Gorman—Assistant Inspector General for Readiness and Cyber Operations.
Carolyn R. Hantz—Assistant Inspector General for Audit Policy and Oversight.
Glenn A. Fine—Principal Deputy Inspector General.
Janice M. Flores—Assistant Inspector General for Investigations, Internal Operations.
Marguerite C. Garrison—Deputy Inspector General for Administrative Investigations.
Kelly P. Mayo—Assistant Inspector General for Investigations.
Troy M. Meyer—Principal Assistant Inspector General for Audit.
Kenneth P. Moorefield—Deputy Inspector General for Special Plans and Operations.
Dermot F. O'Reilly—Deputy Inspector General for Investigations.
Michael J. Roark—Assistant Inspector General for Contract Management and Payment.
Henry C. Shelley, Jr.—General Counsel.
Steven A. Stebbins—Chief of Staff.
Randolph R. Stone—Deputy Inspector General for Policy and Oversight.
Anthony C. Thomas—Deputy Inspector General for Intelligence and Special Program Assessments.
Lorin T. Venable—Assistant Inspector General for Financial Management and Reporting.
Jacqueline L. Wicecarver—Deputy Inspector General for Audit.

Department of Education

Phone Number: (202) 245–6900

CIGIE Liaison—Janet Harmon (202) 245–6076

David Morris—Assistant Inspector General for Management Services.
Patrick Howard—Assistant Inspector General for Audit.
Bryon Gordon—Deputy Assistant Inspector General for Audit.
Aaron Jordan—Assistant Inspector General for Investigations.
Mark Smith—Deputy Assistant Inspector General for Investigations.
Charles Coe—Assistant Inspector General for Information Technology Audits and Computer Crime Investigations.
Marta Erceg—Counsel to the Inspector General.

Department of Energy

Phone Number: (202) 586–4393

CIGIE Liaison—Tara Porter (202) 586–5798

Michelle Anderson—Deputy Inspector General for Audits and Inspections.
John Dupuy—Deputy Inspector General for Investigations.
Sarah Nelson—Assistant Inspector General for Audits and Administration.
Tara Porter—Assistant Inspector General for Management and Administration.
Virginia Grebasch—Counsel to the Inspector General.
Jack Rouch—Deputy Assistant Inspector General for Audits.
Debra Solmonson—Deputy Assistant Inspector General for Audits and Inspections.

Environmental Protection Agency

CIGIE Liaison—Jennifer Kaplan (202) 566–0918

Charles Sheehan—Deputy Inspector General.

Patrick Sullivan—Assistant Inspector General for Investigations.
Carolyn Copper—Assistant Inspector General for Program Evaluation.
Alan Larsen—Counsel to the Inspector General and Assistant Inspector General for Congressional and Public Affairs.
Kevin Christensen—Assistant Inspector General for Audits.

Federal Labor Relations Authority

Phone Number: (202) 218–7744

CIGIE Liaison—Dana Rooney (202) 218–7744

Dana Rooney—Inspector General.

Federal Maritime Commission

Phone Number: (202) 523–5863

CIGIE Liaison—Jon Hatfield (202) 523–5863

Jon Hatfield—Inspector General.

Federal Trade Commission

Phone Number: (202) 326–3295

CIGIE Liaison—Roslyn A. Mazer (202) 326–3295

Roslyn A. Mazer—Inspector General.

General Services Administration

Phone Number: (202) 501–0450

CIGIE Liaison—Sarah S. Breen (202) 219–1351

Robert C. Erickson—Deputy Inspector General.
R. Nicholas Goco—Assistant Inspector General for Auditing.
Barbara Bouldin—Deputy Assistant IG for Acquisition Program Audits.
James E. Adams—Assistant Inspector General for Investigations.
Stephanie E. Burgoyne—Assistant Inspector General for Administration.
Larry L. Gregg—Associate Inspector General.
Patricia D. Sheehan—Assistant Inspector General for Inspections.

Department of Health and Human Services

Phone Number: (202) 619–3148

CIGIE Liaison—Elise Stein (202) 619–2686

Joanne Chiedi—Principal Deputy Inspector General.
Christi Grimm—Chief of Staff.
Robert Owens, Jr.—Deputy Inspector General for Management and Policy.
Caryl Brzymialkiewicz—Assistant Inspector General/Chief Data Officer.
Chris Chilbert—Assistant Inspector General/Chief Information Officer.
Theresa Kohler—Assistant Inspector General/Deputy Chief Financial Officer.
Gary Cantrell—Deputy Inspector General for Investigations.
Les Hollie—Assistant Inspector General for Investigations.
Thomas O'Donnell—Assistant Inspector General for Investigations.
Tyler Smith—Assistant Inspector General for Investigations.
Suzanne Murrin—Deputy Inspector General for Evaluation and Inspections.
Erin Bliss—Assistant Inspector General for Evaluation and Inspections.
Ann Maxwell—Assistant Inspector General for Evaluation and Inspections.
Gregory Demske—Chief Counsel to the Inspector General.
Robert DeConti—Assistant Inspector General for Legal Affairs.
Lisa Re—Assistant Inspector General for Legal Affairs.
Gloria Jarmon—Deputy Inspector General for Audit Services.
Amy Frontz—Assistant Inspector General for Audit Services.
Carrie Hug—Assistant Inspector General for Audit Services.
Brian Ritchie—Assistant Inspector General for Audit Services.

Department of Homeland Security

Phone Number: (202) 254–4100

CIGIE Liaison—Erica Paulson (202) 254–0938

John Kelly—Deputy Inspector General.
Laurel Rimon—Counsel to the Inspector General.
Donald Bumgardner—Deputy Assistant Inspector General for Audits.
Maureen Duddy—Deputy Assistant Inspector General for Audits.
Erica Paulson—Assistant Inspector General for External Affairs.
Sondra McCauley—Assistant Inspector General for Information Technology Audits.
Jennifer Costello—Assistant Inspector General for Inspections and Evaluation.
Andrew Oosterbaan—Assistant Inspector General for Investigations.
Michele Kennedy—Deputy Inspector General for Investigations.
Dennis McGunagle—Deputy Inspector General for Investigations.
John E. McCoy II—Assistant Inspector General for Integrity and Quality Oversight.
Louise M. McGlathery—Assistant Inspector General for Management.
James P. Gaughran—Whistleblower Protection Ombudsman.

Department of Housing and Urban Development

Phone Number: (202) 708–0430

CIGIE Liaison—Michael White (202) 402–8410

Nicholas Padilla—Assistant Inspector General for Investigation.
Robert Kwalwasser—Deputy Assistant Inspector General for Investigation.
Frank Rokosz—Deputy Assistant Inspector General for Audit.
John Buck—Deputy Assistant Inspector General for Audit.
Kimberly Randall—Deputy Assistant Inspector General for Audit.
Laura Farrior—Deputy Assistant Inspector General for Management.
Christopher Webber—Deputy Assistant Inspector General for Information Technology.
Jeremy Kirkland—Counsel to the Inspector General.
Brian Pattison—Assistant Inspector General for Evaluation.

Department of the Interior

Phone Number: (202) 208–5635

CIGIE Liaison—Karen Edwards (202) 208–5635

Mary Kendall, Deputy Inspector General (Acting).
Steve Hardgrove—Chief of Staff.
Kimberly McGovern—Assistant Inspector General for Audits, Inspections and Evaluations.
Matthew Elliott—Assistant Inspector General for Investigations.
Bruce Delaplaine—General Counsel.
Roderick Anderson—Assistant Inspector General for Management.

Department of Justice

Phone Number: (202) 514–3435

CIGIE Liaison—John Lavinsky (202) 514–3435

Robert P. Storch—Deputy Inspector General.
William M. Blier—General Counsel.
Daniel C. Beckhard—Assistant Inspector General for Oversight and Review.
Michael Sean O'Neill—Deputy Assistant Inspector General for Oversight and Review.
Jason R. Malmstrom—Assistant Inspector General for Audit.
Mark L. Hayes—Deputy Assistant Inspector General for Audit.
Eric A. Johnson—Assistant Inspector General for Investigations.
Margaret Elise Chawaga—Deputy Assistant Inspector General for Investigations.
Nina S. Pelletier—Assistant Inspector General for Evaluation and Inspections.
Gregory T. Peters—Assistant Inspector General for Management and Planning.
Cynthia Lowell—Deputy Assistant Inspector for Management and Planning.

Department of Labor

Phone Number: (202) 693–5100

CIGIE Liaison—Luiz Santos (202) 693–7062

Larry D. Turner—Deputy Inspector General.

Delores Thompson—Counsel to the Inspector General.

Elliot P. Lewis—Assistant Inspector General for Audit.

Debra D. Pettitt—Deputy Assistant Inspector General for Audit.

Cheryl Garcia—Assistant Inspector General for Investigations—Labor Racketeering and Fraud.

Leia Burks—Deputy Assistant Inspector General for Investigations—Labor Racketeering and Fraud.

Thomas D. Williams—Assistant Inspector General for Management and Policy.

Charles Sabatos—Deputy Assistant Inspector General for Management and Policy.

Jessica Southwell—Chief Performance and Risk Management Officer.

Luiz A. Santos—Assistant Inspector General for Congressional and Public Relations.

National Aeronautics and Space Administration

Phone Number: (202) 358–1220

CIGIE Liaison—Renee Juhans (202) 358–1712

Gail A. Robinson—Deputy Inspector General.

Frank LaRocca—Counsel to the Inspector General.

James R. Ives—Assistant Inspector General for Investigations.

James L. Morrison—Assistant Inspector General for Audits.

Ross W. Weiland—Assistant Inspector General for Management Planning.

National Archives and Records Administration

Phone Number: (301) 837–3000

CIGIE Liaison—John Simms (301) 837–3000

Jewel Butler—Assistant Inspector General for Audit.

Jason Metrick—Assistant Inspector General for Investigations.

National Labor Relations Board

Phone Number: (202) 273–1960

CIGIE Liaison—Robert Brennan (202) 273–1960

David P. Berry—Inspector General.

National Science Foundation

Phone Number: (703) 292–7100

CIGIE Liaison—Susan Carnohan (703) 292–5011

Alan Boehm—Assistant Inspector General for Investigations.

Kenneth Chason—Counsel to the Inspector General.

Mark Bell—Assistant Inspector General for Audits.

Nuclear Regulatory Commission

Phone Number: (301) 415–5930

CIGIE Liaison—Judy Gordon (301) 415–5913

David C. Lee—Deputy Inspector General.

Joseph A. McMillan—Assistant Inspector General for Investigations.

Brett M. Baker—Assistant Inspector General for Audits.

Office of Personnel Management

Phone Number: (202) 606–1200

CIGIE Liaison—Kevin T. Miller (202) 606–2030

Norbert E. Vint—Acting Inspector General.

J. David Cope—Acting Deputy Inspector General.

James L. Ropelewski—Assistant Inspector General for Management.

Drew M. Grimm—Assistant Inspector General for Investigations.

Michael R. Esser—Assistant Inspector General for Audits.

Melissa D. Brown—Deputy Assistant Inspector General for Audits.

Lewis F. Parker—Deputy Assistant Inspector General for Audits.

Gopala Seelamneni—Chief Information Technology Officer.

Peace Corps

Phone Number: (202) 692–2900

CIGIE Liaison—Joaquin Ferrao (202) 692–2921

Kathy Buller—Inspector General (Foreign Service).

United States Postal Service

Phone Number: (703) 248–2100

CIGIE Liaison—Agapi Doulaveris (703) 248–2286

Elizabeth Martin—General Counsel.

Gladis Griffith—Deputy General Counsel.

Mark Duda—Assistant Inspector General for Audits.

David Montoya—Deputy Assistant Inspector General for Investigations.

Railroad Retirement Board

Phone Number: (312) 751–4690

CIGIE Liaison—Jill Roellig (312) 751–4993

Patricia A. Marshall—Counsel to the Inspector General.

Heather Dunahoo—Assistant Inspector General for Audit.

Louis Rossignuolo—Assistant Inspector General for Investigations.

Small Business Administration

Phone Number: (202) 205–6586

CIGIE Liaison—Robert F. Fisher (202) 205–6583 and Sheldon R. Shoemaker (202) 205–0080

Hannibal M. Ware—Acting Inspector General (Deputy Inspector General).

Mark P. Hines—Assistant Inspector General for Investigations.

Robert F. Fisher—Assistant Inspector General for Management and Administration.

Social Security Administration

Phone Number: (410) 966–8385

CIGIE Liaison—Walter E. Bayer, Jr. (202) 358–6319

Gale Stallworth Stone—Deputy Inspector General/Acting Inspector General.

Steven L. Schaeffer—Chief of Staff.

Rona Lawson—Assistant Inspector General for Audit.

Kimberly Byrd—Deputy Assistant Inspector General for Audit.

Joseph Gangloff—Counsel to the Inspector General.

Michael Robinson—Senior Advisor to the Inspector General for Law Enforcement.

Robby Childress—Acting Assistant Inspector General for Investigations.

Jennifer Walker—Deputy Assistant Inspector General for Investigations.

Kelly Bloyer—Assistant Inspector General for Communications and Resource Management.

Joscelyn Funnie—Deputy Assistant Inspector General for Communications and Resource Management.

Special Inspector General for the Troubled Asset Relief Program

Phone Number: (202) 622–1419

CIGIE Liaison—B. Chad Bungard (202) 927–8938

Christopher Bosland—Assistant Special Inspector General, Audit and Evaluations.

Department of State and the Broadcasting Board of Governors

Phone Number: (202) 663–0340

CIGIE Liaison—Richard L. Puglisi (202) 663–0662

Emilia DiSanto—Deputy Inspector General.

Michael H. Mobbs—General Counsel.

Norman P. Brown—Assistant Inspector General for Audits.

Sandra J. Lewis—Assistant Inspector General for Inspections.

Michael T. Ryan—Assistant Inspector General for Investigations.

Karen J. Ouzts—Assistant Inspector General for Management.

Kevin S. Donohue—Deputy General Counsel.

Gayle L. Voshell—Deputy Assistant Inspector General for Audits.

Tinh T. Nguyen—Deputy Assistant Inspector General for Middle East Region Operations.

Lisa R. Rodely—Deputy Assistant Inspector General for Inspections.

Cathy D. Alix—Deputy Assistant Inspector General for Management.

Department of Transportation

Phone Number: (202) 366–1959

CIGIE Liaison—Nathan P. Richmond: (202) 493–0422

Mitchell L. Behm—Deputy Inspector General.

Brian A. Dettelbach—Assistant Inspector General for Legal, Legislative, and External Affairs.

Dr. Eileen Ennis—Assistant Inspector General for Administration and Management.

Michelle T. McVicker—Principal Assistant Inspector General for Investigations.

Max Smith—Deputy Assistant Inspector General for Investigations.

Joseph W. Comé—Principal Assistant Inspector General for Auditing and Evaluation.

Charles A. Ward—Assistant Inspector General for Audit Operations and Special Reviews.

Matthew E. Hampton—Assistant Inspector General for Aviation Audits.

Barry DeWeese—Assistant Inspector General for Surface Transportation Audits.

Louis C. King—Assistant Inspector General for Financial and Information Technology Audits.

Mary Kay Langan-Feirson—Assistant Inspector General for Acquisition and Procurement Audits.

Department of the Treasury

Phone Number: (202) 622–1090

CIGIE Liaison—Susan G. Marshall (202) 927–9842

Richard K. Delmar—Counsel to the Inspector General.

Tricia L. Hollis—Assistant Inspector General for Management.

John L. Phillips—Assistant Inspector General for Investigations.

Jerry S. Marshall—Deputy Assistant Inspector General for Investigations.

Pauletta Battle—Deputy Assistant Inspector General for Financial Management and Transparency Audits.

Donna F. Joseph—Deputy Assistant Inspector General for Cyber and Financial Assistance Audits.

Lisa A. Carter—Deputy Assistant Inspector General for Financial Sector Audits.

Treasury Inspector General for Tax Administration/Department of the Treasury

Phone Number: (202) 622–6500

CIGIE Liaison—David Barnes (Acting) (202) 622–3062

Timothy Camus—Deputy Inspector General for Investigations.

Michael McKenney—Deputy Inspector General for Audit.

Russell Martin—Assistant Inspector General for Audit (Returns Processing & Account Services).

Danny Verneuille—Assistant Inspector General for Audit (Security and Information Technology).

Nancy LaManna—Assistant Inspector General for Audit (Management Planning and Workforce Development).

Greg Kutz—Acting Deputy Inspector General for Inspections and Evaluations/Assistant Inspector General for Audit (Management Services & Exempt Organizations).

Matthew Weir—Assistant Inspector General for Audit (Compliance and Enforcement Operations).

James Jackson—Assistant Inspector General for Investigations.

Randy Silvis—Assistant Inspector General for Investigations.

Gladys Hernandez—Chief Counsel.

George Jakabcin—Chief Information Officer.

Thomas Carter—Deputy Chief Counsel.

Department of Veterans Affairs

Phone Number: (202) 461–4720

CIGIE Liaison—Jennifer Geldhof (202) 461–4677

Roy Fredrikson—Deputy Counselor to the Inspector General.

Brent Arronte—Deputy Assistant Inspector General for Audits and Evaluations.

John D. Daigh—Assistant Inspector General for Healthcare Inspections.

Dated: September 13, 2017.

Mark D. Jones,

Executive Director.

[FR Doc. 2017–19917 Filed 9–18–17; 8:45 am]

BILLING CODE 6820–C9–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Government-Industry Advisory Panel; Notice of Federal Advisory Committee Meeting

AGENCY: Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics), Department of Defense (DoD).

ACTION: Federal advisory committee meeting notice.

SUMMARY: The Department of Defense is publishing this notice to announce the following Federal advisory committee meeting of the Government-Industry Advisory Panel. This meeting is open to the public.

DATES: The meetings will be held from 9:00 a.m. to 4:00 p.m. on Wednesday and Thursday, September 20 through 21, 2017. Public registration will begin at 8:45 a.m. on each day. For entrance into the meeting, you must submit your name to the Designated Federal Officer (DFO) no later than September 19, 2017.

Teleconference and direct connect information will be provided by the DFO and support staff at the contact information in this notice.

ADDRESSES: 1550 Crystal Drive, Arlington, VA 22202. Visitors must provide an ID to the receptionist, and she will provide a badge for entrance.

FOR FURTHER INFORMATION CONTACT: LTC Robert L. McDonald Jr., Office of the Assistant Secretary of Defense (Acquisition), 3090 Defense Pentagon, Washington, DC 20301–3090, email: *Robert.L.McDonald.mil@mail.mil,* phone: 571–256–9006 or Peter Nash, email: *peter.b.nash3.ctr@mail.mil,* phone: 703–693–5111.

SUPPLEMENTARY INFORMATION: Due to circumstances beyond the control of the Designated Federal Officer and the Department of Defense, the Government-Industry Advisory Panel was unable to provide public notification concerning its meeting on September 20 through 21, 2017, as required by 41 CFR 102–3.150(a). Accordingly, the Advisory Committee Management Officer for the Department

of Defense, pursuant to 41 CFR 102–3.150(b), waives the 15-calendar day notification requirement.

Purpose of the Meetings: This meeting is being held under the provisions of the Federal Advisory Committee Act of 1972 (FACA) (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150. The Government-Industry Advisory Panel will review sections 2320 and 2321 of title 10, United States Code (U.S.C.), regarding rights in technical data and the validation of proprietary data restrictions and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interest of the taxpayers and the national defense. The scope of the panel is as follows: (1) Ensuring that the Department of Defense (DoD) does not pay more than once for the same work, (2) Ensuring that the DoD contractors are appropriately rewarded for their innovation and invention, (3) Providing for cost-effective reprocurement, sustainment, modification, and upgrades to the DoD systems, (4) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the DoD, and (5) Ensuring that the DoD has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

Agenda: This will be the twenty-first meeting of the Government-Industry Advisory Panel, respectively. The panel will cover details of 10 U.S.C. 2320 and 2321, begin understanding the implementing regulations and detail the necessary groups within the private sector and government to provide supporting documentation for their review of these codes and regulations during follow-on meetings. Agenda items for this meeting will include the following: (1) Final review of tension point information papers; (2) Rewrite FY17 NDAA 2320 and 2321 language; (3) Review Report Framework and Format for Publishing; (4) Comment Adjudication & Planning for follow-on meeting.

Availability of Materials for the Meeting: A copy of the agenda or any updates to the agenda for the September 20 through 21, 2017 meeting is available as requested or at the following site: *https://www.facadatabase.gov/committee/committee.aspx?cid=2561&aid=41.* It will also be distributed upon request. Minor changes to the agenda will be announced at the meeting. All materials will be posted to the FACA database after the meeting.

Public Accessibility to the Meeting: Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102–3.140 through 102–3.165, and subject to the availability of space, the meetings are open to the public. Registration of members of the public who wish to attend the meetings will begin upon publication of this meeting notice and end three business days (September 15) prior to the start of the meetings. All members of the public must contact LTC McDonald or Mr. Nash at the phone number or email listed in the **FOR FURTHER INFORMATION CONTACT** section. Seating is limited and is on a first-to-arrive basis. Attendees will be asked to provide their name, title, affiliation, and contact information to include email address and daytime telephone number to the DFO listed in the **FOR FURTHER INFORMATION CONTACT** section. Any interested person may attend the meeting, file written comments or statements with the committee, or make verbal comments from the floor during the public meeting, at the times, and in the manner, permitted by the committee.

Special Accommodations: The meeting venue is fully handicap accessible, with wheelchair access.

Individuals requiring special accommodations to access the public meeting or seeking additional information about public access procedures, should contact LTC McDonald, the committee DFO, or Mr. Nash at the email address or telephone number listed in the **FOR FURTHER INFORMATION CONTACT** section, at least five (5) business days prior to the meeting so that appropriate arrangements can be made.

Written Comments or Statements: Pursuant to 41 CFR 102–3.105(j) and 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act, the public or interested organizations may submit written comments or statements to the Government-Industry Advisory Panel about its mission and/or the topics to be addressed in this public meeting. Written comments or statements should be submitted to LTC McDonald, the committee DFO, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section in the following formats: Adobe Acrobat or Microsoft Word. The comment or statement must include the author's name, title, affiliation, address, and daytime telephone number. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the committee DFO at least five (5) business days prior to the meeting so that they may be made available to the Government-Industry Advisory Panel for its consideration prior to the meeting. Written comments or statements received after this date may not be provided to the panel until its next meeting. Please note that because the panel operates under the provisions of the Federal Advisory Committee Act, as amended, all written comments will be treated as public documents and will be made available for public inspection.

Verbal Comments: Members of the public will be permitted to make verbal comments during the meeting only at the time and in the manner allowed herein. If a member of the public is interested in making a verbal comment at the open meeting, that individual must submit a request, with a brief statement of the subject matter to be addressed by the comment, at least three (3) business days in advance to the committee DFO, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section. The committee DFO will log each request to make a comment, in the order received, and determine whether the subject matter of each comment is relevant to the panel's mission and/or the topics to be addressed in this public meeting. A 30-minute period near the end of the meeting will be available for verbal public comments. Members of the public who have requested to make a verbal comment and whose comments have been deemed relevant under the process described in this paragraph, will be allotted no more than five (5) minutes during this period, and will be invited to speak in the order in which their requests were received by the DFO.

Dated: September 14, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017–19898 Filed 9–18–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0106]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Quick Response Information System (QRIS) 2017–2020 System Clearance

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before October 19, 2017.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2017–ICCD–0106. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number 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 216–34, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact NCES Information Collections at *NCES.Information.Collections@ed.gov.*

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: Quick Response Information System (QRIS) 2017–2020 System Clearance.

OMB Control Number: 1850–0733.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 104,004.

Total Estimated Number of Annual Burden Hours: 31,704.

Abstract: The National Center for Education Statistics (NCES) Quick Response Information System (QRIS) consists of the Fast Response Survey System (FRSS) and the Postsecondary Education Quick Information System (PEQIS). The QRIS currently conducts surveys under OMB generic clearance 1850–0733, which expires in February 2018. This submission requests approval to continue the current clearance conditions through the end of 2020. FRSS primarily conducts surveys of the elementary/secondary sector (districts, schools) and public libraries. PEQIS conducts surveys of the postsecondary education sector. FRSS and PEQIS surveys are cleared under the QRIS generic clearance. The QRIS clearance is subject to the regular clearance process at OMB with a 60-day notice and a 30-day notice as part of the 120-day review period. Each individual FRSS or PEQIS survey is then subject to clearance process with an abbreviated clearance package, justifying the particular content of the survey, describing the sample design, the timeline for the survey activities, and the questionnaire. The review period for each individual survey is 45 days, including a 30-day **Federal Register** notice period. OMB will provide comments as soon after the end of the 30-day notice period as possible. This generic clearance request is for surveys of state education agencies, school districts, schools, postsecondary institutions, and libraries.

Dated: September 13, 2017.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–19840 Filed 9–18–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0120]

Agency Information Collection Activities; Comment Request; Study of Higher Education Articulation Agreements Covering the Early Care and Education Workforce

AGENCY: Office of Planning, Evaluation and Policy Development (OPEPD), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before November 20, 2017.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2017–ICCD–0120. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number 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 216–32, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Erica Lee, 202–260–1463.

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: Study of Higher Education Articulation Agreements Covering the Early Care and Education Workforce.

OMB Control Number: 1875–NEW.

Type of Review: A new information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 47.

Total Estimated Number of Annual Burden Hours: 104.

Abstract: The purpose of this study is to identify elements that states have in place to enable successful articulation as early care and education (ECE) workers progress from an associate's degree to a bachelor's degree and describe states' successes and challenges in implementing the elements. Specifically, the study will use telephone interviews, focus groups, and review of extant documents to examine ECE articulation policies and their implementation in six focal states that have statewide articulation policies addressing degrees or coursework in early childhood education.

This analysis will rely on three types of data sources:

- Telephone interviews. One-on-one phone interviews will be conducted with 76 individuals including: Faculty and college administrators from states' two-year and four-year institutions of higher education; state higher education administrators; representatives from higher education governing bodies and ECE licensure bodies; and other individuals who are knowledgeable about development, implementation, and monitoring of ECE articulation policies and the ECE workforce.
- Focus groups. Virtual focus groups will be held in each of the six states, including student focus groups (with 24 students total) and focus groups of institutional support staff (with 20 staff total).
- Review of extant documents. These documents will include articulation policies, legislation, and governing body meeting notes.

Dated: September 14, 2017.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–19893 Filed 9–18–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2744–043]

North East Wisconsin Hydro, LLC; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission (Commission or FERC) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed the application for a new license for the 4.348-megawatt Menominee and Park Mill Hydroelectric Project (FERC Project No. 2744–043) and has prepared a single environmental assessment (EA). The project consists of two developments (Menominee and Park Mill) located on the Menominee River in Menominee County, Michigan, and Marinette County, Wisconsin.

In the EA, Commission staff analyzes the potential environmental effects of relicensing the project and concludes that issuing a new license for the project, with appropriate environmental measures, would not constitute a major federal action significantly affecting the quality of the human environment.

A copy of the EA is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *www.ferc.gov* using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, contact FERC Online Support at *ferconlinesupport@ferc.gov;* toll-free at 1–866–208–3676; or for TTY, (202) 502–8659.

You may also register online at *www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Any comments should be filed within 45 days from the date of this notice. The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support. In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–2744–043.

For further information, contact Chelsea Hudock at (202) 502–8448 or by email at *chelsea.hudock@ferc.gov.*

Dated: September 13, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–19874 Filed 9–18–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER17–2104–000.
Applicants: Southern Partners, INC.
Description: Amendment to July 18, 2017 Southern Partners, INC. tariff filing.
Filed Date: 9/12/17.
Accession Number: 20170912–5170.
Comments Due: 5 p.m. ET 10/3/17.

Docket Numbers: ER17–2461–000.
Applicants: Constellation Energy Services, Inc.
Description: Tariff Cancellation: Notice of Cancellation to be effective 9/13/2017.
Filed Date: 9/12/17.
Accession Number: 20170912–5132.
Comments Due: 5 p.m. ET 10/3/17.

Docket Numbers: ER17–2462–000.
Applicants: SunSea Energy, LLC.
Description: Baseline eTariff Filing: Market-Based Rate Tariff Application to be effective 9/13/2017.
Filed Date: 9/12/17.
Accession Number: 20170912–5133.
Comments Due: 5 p.m. ET 10/3/17.

Docket Numbers: ER17–2463–000.
Applicants: Public Service Company of Colorado.
Description: § 205(d) Rate Filing: 20170912 Grand Valley 2nd Amended Cleanup Filing to be effective 5/17/2017.
Filed Date: 9/12/17.

Accession Number: 20170912–5157.
Comments Due: 5 p.m. ET 10/3/17.

Docket Numbers: ER17–2464–000.
Applicants: AEP Energy Partners, Inc.
Description: § 205(d) Rate Filing: AEP Energy Partners-AEP Texas Inc. PPA Amendment to be effective 9/11/2017.
Filed Date: 9/12/17.
Accession Number: 20170912–5158.
Comments Due: 5 p.m. ET 10/3/17.

Docket Numbers: ER17–2465–000.
Applicants: DTE Electric Company.
Description: § 205(d) Rate Filing: Update to Reactive Revenue to be effective 11/1/2017.
Filed Date: 9/13/17.
Accession Number: 20170913–5001.
Comments Due: 5 p.m. ET 10/4/17.

Docket Numbers: ER17–2466–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Request for limited waiver of certain provisions of its Tariff of Midcontinent Independent System Operator, Inc.
Filed Date: 9/12/17.
Accession Number: 20170912–5164.
Comments Due: 5 p.m. ET 10/3/17.

Docket Numbers: ER17–2467–000.
Applicants: Arizona Public Service Company.
Description: § 205(d) Rate Filing: Rate Schedule No. 217, Exhibit B's to be effective 11/13/2017.
Filed Date: 9/13/17.
Accession Number: 20170913–5050.
Comments Due: 5 p.m. ET 10/4/17.

Docket Numbers: ER17–2468–000.
Applicants: AES Ohio Generation, LLC.
Description: § 205(d) Rate Filing: AES Ohio Generation Reactive Power Filing to be effective 10/1/2017.
Filed Date: 9/13/17.
Accession Number: 20170913–5056.
Comments Due: 5 p.m. ET 10/4/17.

Docket Numbers: ER17–2469–000.
Applicants: The Dayton Power and Light Company.
Description: Tariff Cancellation: DP&L Reactive Power Tariff Cancellation Filing to be effective 10/1/2017.
Filed Date: 9/13/17.
Accession Number: 20170913–5067.
Comments Due: 5 p.m. ET 10/4/17.

Docket Numbers: ER17–2470–000.
Applicants: Red Dirt Wind Project, LLC.
Description: Baseline eTariff Filing: MBR Tariff to be effective 10/15/2017.
Filed Date: 9/13/17.
Accession Number: 20170913–5106.
Comments Due: 5 p.m. ET 10/4/17.

Take notice that the Commission received the following foreign utility company status filings:

Docket Numbers: FC17–7–000.
Applicants: Altamuskin Windfarm Limited.
Description: Notification of Self-Certification of Foreign Utility Company Status of Altamuskin Windfarm Limited, *et al.*
Filed Date: 9/12/17.
Accession Number: 20170912–5149.
Comments Due: 5 p.m. ET 10/3/17.

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: September 13, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–19871 Filed 9–18–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Effectiveness of Exempt Wholesale Generator and Foreign Utility Company Status

	Docket No.
NextEra Energy Bluff Point, LLC	EG17–115–000
Horse Hollow Wind IV, LLC	EG17–116–000
Horse Hollow Wind II, LLC	EG17–117–000
CA Flats Solar 130, LLC	EG17–118–000
Buckthorn Wind, LLC	EG17–119–000
Bearkat Wind Energy I, LLC	EG17–120–000
Cottonwood Wind Project, LLC	EG17–121–000
Jacinta Solar Farm S.R.L	FC17–2–000
Nicefield S.A	FC17–3–000

Take notice that during the month of August 2017, the status of the above-captioned entities as Exempt Wholesale Generators or Foreign Utility Companies became effective by operation of the Commission's regulations. 18 CFR 366.7(a) (2017).

Dated: September 13, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–19872 Filed 9–18–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17–2453–000]

Imperial Valley Solar 3, 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 Imperial Valley Solar 3, 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 October 3, 2017.

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 electronic 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: September 13, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017–19873 Filed 9–18–17; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2013–0566; FRL–9965–64–OAR]

Release of Draft Documents Related to the Review of the Primary National Ambient Air Quality Standard for Sulfur Oxides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: On or about August 25, 2017, the Environmental Protection Agency (EPA) will make available for public comment two draft documents titled, *Risk and Exposure Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Oxides, External Review Draft* (Draft REA) and *Policy Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Oxides, External Review Draft* (Draft PA). These draft documents were prepared as part of the current review of the primary National Ambient Air Quality Standard (NAAQS) for Sulfur Oxides (SO_X). The Draft REA describes draft quantitative exposure and risk analyses for this NAAQS review. The PA, when final, serves to ''bridge the gap'' between the currently available scientific information and the judgments required of the Administrator in determining whether to retain or revise the existing primary NAAQS for SO_X.

DATES: Comments should be received on or before October 18, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2013–0566, to the *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the Web, Cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.* The draft REA and draft PA will be available primarily via the Internet at *https://www.epa.gov/naaqs/sulfur-dioxide-so2-primary-air-quality-standards.*

FOR FURTHER INFORMATION CONTACT: Dr. Nicole Hagan, Office of Air Quality Planning and Standards (Mail Code C504–06), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: 919–541–3153; fax number: 919–541–5315; email: *hagan.nicole@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. What should I consider as I prepare my comments for the EPA?

1. Submitting CBI. Do not submit this information to EPA through *http://regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2.

2. Tips for Preparing your Comments. When submitting comments, remember to:

- Identify the notice by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions. The agency may ask you to respond to specific questions or organize comments by referencing a CFR part or section number.
- Explain why you agree or disagree; suggest alternative and substitute language for your requested changes.
- Describe any assumption and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

II. Information About the Document

Two sections of the Clean Air Act (CAA) govern the establishment and revision of the NAAQS. Section 108 (42 U.S.C. 7408) directs the Administrator to identify and list certain air pollutants and then to issue air quality criteria for those pollutants. The Administrator is to list those air pollutants that in his ''judgment, cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare''; ''the presence of which in the ambient air results from numerous or diverse mobile or stationary sources''; and ''for which . . . [the Administrator] plans to issue air quality criteria . . .'' (42 U.S.C. 7408(a)(1)(A)–(C)). Air quality criteria are intended to ''accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [a] pollutant in the ambient air . . .'' (42 U.S.C. 7408(a)(2)). Under section 109 (42 U.S.C. 7409), the EPA establishes primary (health-based) and secondary (welfare-based) NAAQS for pollutants for which air quality criteria are issued. Section 109(d) requires periodic review and, if appropriate, revision of existing air quality criteria. The revised air quality criteria reflect advances in scientific knowledge on the effects of the pollutant on public health or welfare. The EPA is also required to periodically review and revise the NAAQS, if appropriate, based on the revised criteria. Section 109(d)(2) requires that an independent scientific review committee ''shall complete a review of the criteria . . . and the national primary and secondary ambient air quality standards . . . and shall recommend to the Administrator any new . . . standards and revisions of the existing criteria and standards as may be appropriate. . . .'' Since the early 1980s, this independent review function has been performed by the Clean Air

Scientific Advisory Committee (CASAC).

Presently, the EPA is reviewing the air quality criteria and primary NAAQS for SO_X.[1] The EPA's overall plan for this review is presented in the *Integrated Review Plan for the Primary NAAQS for Sulfur Dioxide* (IRP).[2] As described in the IRP, the EPA is preparing an *Integrated Science Assessment for Sulfur Oxides—Health Criteria* (ISA), the second draft[3] of which was reviewed by the CASAC, along with the *Risk and Exposure Assessment Planning Document for the Review of the Primary National Ambient Air Quality Standards for Sulfur Oxides* (REA Planning Document),[4] at a public meeting in March 2017 (82 FR 11449). The draft REA announced today describes the approaches taken to assess SO_2 exposures and associated health risks, as well as presents the initial key results, observations, and related uncertainties associated with the quantitative analyses performed. The PA, when final, serves to ''bridge the gap'' between the scientific and technical information in the final ISA and REA, and the judgments required of the Administrator in determining whether to retain or revise the existing primary NAAQS for SO_X. The draft PA builds upon information presented in the second draft ISA and the draft REA. The draft REA and PA documents will be available on or about August 25, 2017, on the EPA's Technology Transfer Network Web site at *https://www.epa.gov/naaqs/sulfur-dioxide-so2-primary-air-quality-standards.*

The EPA is soliciting advice and recommendations from the CASAC by means of a review of these draft documents at an upcoming public meeting of the CASAC. Information about this public meeting, including the dates and location, will be published as a separate notice in the **Federal Register**. Following the CASAC meeting, the EPA will consider comments received from the CASAC and the public in preparing revisions to these documents.

The draft documents briefly described above do not represent and should not be construed to represent any final EPA policy, viewpoint, or determination. The EPA will consider any public comments submitted in response to this notice when revising the documents.

Dated: August 14, 2017.

Stephen Page,

Director, Office of Air Quality Planning and Standards.

[FR Doc. 2017–19823 Filed 9–18–17; 8:45 am]

BILLING CODE 6560–50–P

[1] The indicator for the current standard is SO_2.

[2] The IRP (EPA–452/R–14–007, October 2014) is available at *https://www.epa.gov/naaqs/sulfur-dioxide-so2-primary-standards-planning-documents-current-review.*

[3] The second draft ISA was made available to both the CASAC and the public in December 2016 (81 FR 89097) and is available at: *https://www.epa.gov/naaqs/sulfur-dioxide-so2-primary-standards-integrated-science-assessments-current-review.*

[4] The REA Planning Document was made available to both the CASAC and the public in February 2017 (82 FR 11356) and is available at: *https://www.epa.gov/naaqs/sulfur-dioxide-so2-primary-standards-planning-documents-current-review.*

FEDERAL ACCOUNTING STANDARDS ADVISORY BOARD

Notice of Request for Comment on the Exposure Draft of a Proposed Technical Bulletin, Assigning Assets to Component Reporting Entities

AGENCY: Federal Accounting Standards Advisory Board.

ACTION: Notice.

Pursuant to 31 U.S.C. 3511(d), the Federal Advisory Committee Act (Pub. L. 92–463), as amended, and the FASAB Rules Of Procedure, as amended in October 2010, notice is hereby given that the Federal Accounting Standards Advisory Board (FASAB) has issued an exposure draft of a proposed Technical Bulletin entitled *Assigning Assets to Component Reporting Entities.*

The exposure draft is available on the FASAB Web site at *http://www.fasab.gov/documents-for-comment/.* Copies can be obtained by contacting FASAB at (202) 512–7350.

Respondents are encouraged to comment on any part of the exposure draft. Written comments are requested by October 13, 2017, and should be sent to *fasab@fasab.gov* or Wendy M. Payne, Executive Director, Federal Accounting Standards Advisory Board, 441 G Street NW., Suite 6814, Mailstop 6H19, Washington, DC 20548.

FOR FURTHER INFORMATION CONTACT: Ms. Wendy M. Payne, Executive Director, 441 G Street NW., Mailstop 6H19, Washington, DC 20548, or call (202) 512–7350.

Authority: Federal Advisory Committee Act, Pub. L. 92–463.

Dated: September 12, 2017.

Wendy M. Payne,

Executive Director.

[FR Doc. 2017–19844 Filed 9–18–17; 8:45 am]

BILLING CODE 1610–02–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1240]

Information Collection Approved by the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for a revision of a currently approved public information collection pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number, and no person is required to respond to a collection of information unless it displays a currently valid control number. Comments concerning the accuracy of the burden estimates and any suggestions for reducing the burden should be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section below.

FOR FURTHER INFORMATION CONTACT: Cathy Williams, Office of the Managing Director, at (202) 418–2918, or email: *Cathy.Williams@fcc.gov.*

SUPPLEMENTARY INFORMATION: The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1240.

OMB Approval Date: September 11, 2017.

OMB Expiration Date: September 30, 2020.

Title: FCC Form 2100, Application for Media Bureau Video Service Authorization, Schedule 387 (Transition Progress Report).

Form Number: FCC Form 2100, Schedule 387 (Transition Progress Report Form).

Respondents: Business or other for-profit entities; not-for-profit institutions.

Number of Respondents and Responses: 1,000 respondents; 3,333 responses.

Estimated Time per Response: 2 hours (1 hour to complete the form, 1 hour to respond to technical questions).

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 6,666 hours.

Total Annual Costs: $260,241.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in Public Law 112–96, 6402 (codified at 47 U.S.C. 309(j)(8)(G)), 6403 (codified at 47 U.S.C. 1452), 126 Stat. 156 (2012) (Spectrum Act).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Impact Assessment(s): No impact(s).

Needs and Uses: By Public Notice released January 10, 2017, The Incentive Auction Task Force and Media Bureau Release Transition Progress Report Form and Filing Requirements for Stations Eligible for Reimbursement from the TV Broadcast Relocation Fund and Seek Comment on the Filing of the Report by Non-Reimbursable Stations, MB Docket No. 16–306, Public Notice, 32 FCC Rcd 256 (IATF/Med. Bur. 2017). The Incentive Auction Task Force and Media Bureau described the information that must be provided in the adopted FCC Form 2100, Schedule 387 (Transition Progress Report Form) to be filed by Reimbursable Stations and when and how the Transition Progress Reports must be filed. We also proposed to require broadcast television stations that are not eligible to receive reimbursement of associated expenses from the Reimbursement Fund (Non-Reimbursable Stations), but must transition to new channels as part of the Commission's channel reassignment plan, to file progress reports in the same manner and on the same schedule as Reimbursable Stations, and sought comment on that proposal.

By Public Notice released May 18, 2017. The Incentive Auction Task Force and Media Bureau Adopt Filing Requirements for the Transition Progress Report Form by Stations That Are Not Eligible for Reimbursement from the TV Broadcast Relocation Fund, MB Docket No. 16–306, Public Notice, DA 17–484 (rel. May 18, 2017) (referred to collectively with Public Notice cited above as Transition Progress Report Public Notices). We concluded that Non-Reimbursable Stations will be required to file Transition Progress Reports following the filing procedures adopted for Reimbursable Stations.

The Commission received approval from the Office of Management and Budget (OMB) for FCC Form 2100, Schedule 387 (Transition Progress Report) on September 11, 2017.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2017–19882 Filed 9–18–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0573]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before November 20, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501–3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060–0573.

Title: Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise, FCC Form 394.

Form Number: FCC Form 394.

Type of Review: Extension of a currently approved collection.

Respondents: Business of other for-profit entities; State, Local or Tribal Government.

Number of Respondents and Responses: 2,000 respondents; 1,000 responses.

Estimated Time per Response: 1–5 hours.

Frequency of Response: Third Party Disclosure Requirement.

Total Annual Burden: 7,000 hours.

Total Annual Costs: $750,000.

Privacy Impact Assessment(s): No impact(s).

Needs and Uses: FCC Form 394 is a standardized form that is completed by cable operators in connection with the assignment and transfer of control of cable television systems. On July 23, 1993, the Commission released a Report and Order and Further Notice of Proposed Rulemaking in MM Docket No. 92–264, FCC 93–332, Implementation of Sections 11 and 13 of the Cable Television Consumer Protection and Competition Act of 1992, Horizontal and Vertical Ownership Limits, Cross-Ownership Limitations and Anti-Trafficking Provisions. Among other things, this Report and Order established procedures for use of the FCC Form 394.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2017–19881 Filed 9–18–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice to All Interested Parties of the Termination of the Receivership of 10179—First National Bank of Georgia Carrollton, Georgia

Notice is hereby given that the Federal Deposit Insurance Corporation (FDIC) as Receiver for First National Bank of Georgia, Carrollton, Georgia (''the Receiver'') intends to terminate its receivership for said institution. The FDIC was appointed Receiver of First National Bank of Georgia on January 29, 2010. The liquidation of the receivership assets has been completed. To the extent permitted by available funds and in accordance with law, the Receiver will be making a final dividend payment to proven creditors.

Based upon the foregoing, the Receiver has determined that the continued existence of the receivership will serve no useful purpose. Consequently, notice is given that the receivership shall be terminated, to be effective no sooner than thirty days after the date of this notice. If any person wishes to comment concerning the termination of the receivership, such comment must be made in writing and sent within thirty days of the date of this notice to: Federal Deposit Insurance Corporation, Division of Resolutions and Receiverships, Attention: Receivership Oversight Department 34.6, 1601 Bryan Street, Dallas, TX 75201.

No comments concerning the termination of this receivership will be considered which are not sent within this time frame.

Dated: September 14, 2017.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2017–19875 Filed 9–18–17; 8:45 am]

BILLING CODE 6714–01–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 October 4, 2017.

A. Federal Reserve Bank of Cleveland (Nadine Wallman, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101–2566. Comments can also be sent electronically to *Comments.applications@clev.frb.org:*

1. *Gemini Bancshares, Inc.,* Monument, Colorado; to continue to engage in lending activities pursuant to section 225.28(b)(1) of Regulation Y.

Board of Governors of the Federal Reserve System, September 14, 2017.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2017–19933 Filed 9–18–17; 8:45 am]

BILLING CODE 6210–01–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 October 13, 2017.

B. Federal Reserve Bank of Cleveland (Nadine Wallman, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101–2566. Comments can also be sent electronically to *Comments.applications@clev.frb.org:*

1. *SSB Bancorp, MHC and SSB Bancorp, Inc.,* both of Pittsburgh, Pennsylvania; to become bank holding companies by acquiring 100 percent of the voting shares of Slovak Savings Bank, Pittsburgh, Pennsylvania, upon the conversion of the bank from mutual to stock form.

In connection with this application, Applicant also has applied to engage in lending activities pursuant to section 225.28(b)(1).

A. Federal Reserve Bank of Atlanta (Chapelle Davis, Assistant Vice President) 1000 Peachtree Street NE., Atlanta, Georgia 30309. Comments can also be sent electronically to *Applications.Comments@atl.frb.org.*

1. *Investar Holding Corporation,* Baton Rouge, Louisiana; to merge with BOJ Bancshares, Inc., and thereby indirectly acquire The Highlands Bank, both of Jackson, Louisiana.

Board of Governors of the Federal Reserve System, September 13, 2017.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2017–19825 Filed 9–18–17; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors.

Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 4, 2017.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *James S. Schafer,* The Villages, Florida; to retain voting shares of First American Bankshares, Inc., Fort Atkinson, Wisconsin, and thereby indirectly retain voting shares of PremierBank, Fort Atkinson, Wisconsin and Commercial Bank, Whitewater, Wisconsin.

Board of Governors of the Federal Reserve System, September 14, 2017.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2017–19932 Filed 9–18–17; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–17–17AVB; Docket No. CDC–2017–0066]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, 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. This notice invites comment on the ''Leveraging the Emerging Field of Disaster Citizen Science to Enhance Community Resilience to Improve Disaster Response'' project. This project will include individual and group interviews of citizen scientists and their partners and will field a nationally representative survey of local health departments to understand experiences and perceptions of citizen science for disaster preparedness.

DATES: Written comments must be received on or before November 20, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2017–0066 by any of the following methods:

- *Federal eRulemaking Portal: Regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov,* including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov.*

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329; phone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed 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. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

Leveraging the Emerging Field of Disaster Citizen Science to Enhance Community Resilience to Improve Disaster Response—New—Office of Public Health Preparedness and Response (OPHPR), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

OPHPR's mission is to safeguard health and save lives by providing a platform for public health preparedness and emergency response. As part of its role, OPHPR funds applied research to improve the ability of CDC and its partners, including but not limited to state and local health departments, emergency management organizations, and health care entities, to effectively prepare for and respond to public health emergencies and disasters. The proposed information collection project is in accordance with OPHPR's mission.

OPHPR requests approval of a new information collection to learn about how the emerging field of disaster citizen science can enhance community resilience for a period of one year. This (mixed methods) information collection uses interviews and a cross-sectional survey. Researchers aim to: (1) Explore the potential of disaster citizen science for increasing community resilience, enhancing participation in preparedness and response activities, and improving preparedness efforts; and (2) provide evidence to inform the development of educational and instructional tools for communities and health departments to navigate the emerging field of disaster citizen science and promote collaborations. CDC will use the insights gained from this information collection to inform the development of guidance

and toolkits for LHDs and community groups so that they can align their efforts and strengthen the benefits and positive impacts of citizen science activities. For interviews, the information collection will target citizen scientists and end users of citizen science data.

Citizen science is defined as research activities (*e.g.,* data collection, analysis, and reporting) performed by members of the general public without any particular training in science. Citizen science is growing in popularity, fueled in part by growing use of smartphones and other personal devices in the population. Although citizen collection and use of data during disasters has increased exponentially in recent years and there is great policy interest in the phenomenon, there has been no robust research to date on the use of, barriers to, and impact of citizen science in disasters. Local health departments (LHDs) lack tools to respond to and coordinate with citizen science activities within communities. Furthermore, citizen science organizations lack information on how to organize their activities for ultimate impact.

This is an exploratory study and is the first of its kind to explore the growing phenomenon of disaster citizen science. Disaster citizen science is a rapidly growing field that is the focus of policy interest, but currently devoid of research. This study will generate information that can help define the phenomenon of disaster citizen science and may result in nationally representative baseline data that can support changes in citizen science awareness, barriers, and activities.

While interviews will be hypothesis generating and provide rich data on the experiences with citizen science to date across all stakeholders active in this enterprise, the nationally-representative survey data will allow us to generalize findings to the full population of LHDs in the U.S.

CDC will collaborate with a contractor to implement this project. Researchers will target citizen scientists and their partners (*e.g.,* academics who work with citizen scientists on research projects) and LHDs in a position to use citizen science data to inform public health decision-making. For interviews, researchers will sample for maximum variation, seeking to obtain variation on U.S. region, type and sophistication of citizen science project, type of disaster encountered, and previous experience with disaster citizen science.

The researchers aim to conduct 35–55 individual and group facilitated semi-structured interviews, each lasting approximately 60 minutes, to cover topics including benefits and uses of citizen science, barriers to and facilitators of citizen science, and strengths and limitations of citizen science activities and resources. Researchers will identify potential interview participants through literature reviews and snowball sampling in a phased approach starting with citizen science and LHD organizations. Researchers will sample for maximum variation in order to capture the full range of citizen scientist and health department experiences on this topic.

For the survey, the researchers will target a nationally representative sample of 600 local health officials and will apply survey weights to ensure that findings have external validity and can be generalized to LHDs in the U.S. The survey, which will take 30 minutes to complete, will include questions on both citizen science as applied to disaster preparedness and response, and citizen science as occurring in other contexts (such as environmental health)to draw lessons for preparedness and response.

OPHPR anticipates that the knowledge resulting from this research project will contribute significantly to the evidence base for preparedness and response and lead to improved efficiency, effectiveness, and outcomes in several domains.

Participation in this study is voluntary. There are no costs to respondents other than their time. A summary of annualized burden hours is below.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Citizen scientists and their partners; local health officials.	Interview Guide (semi-structured questionnaire).	55	1	75/60	69
Local health departments	Survey	300	1	30/60	150
Total					219

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017–19824 Filed 9–18–17; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–0192]

Agency Information Collection Activities; Proposed Collection; Comment Request; Establishing and Maintaining Lists of United States Manufacturers/Processors With Interest in Exporting Center for Food Safety and Applied Nutrition-Regulated Products to China

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the information collection provisions found in the

guidance entitled ''Establishing and Maintaining a List of U.S. Milk and Milk Product, Seafood, Infant Formula, and Formula for Young Children Manufacturers/Processors with Interest in Exporting to China: Guidance for Industry.''

DATES: Submit either electronic or written comments on the collection of information by November 20, 2017.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before November 20, 2017. The *https://www.regulations.gov* electronic filing system will accept comments until midnight Eastern Time at the end of November 20, 2017. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2014–N–0192 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Establishing and Maintaining Lists of U.S. Manufacturers/Processors with Interest in Exporting CFSAN-Regulated Products to China.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff Office between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Establishing and Maintaining Lists of U.S. Manufacturers/Processors With Interest in Exporting CFSAN-Regulated Products to China—21 U.S.C. 371

OMB Control Number 0910–0839—Extension

The United States exports a large volume and variety of foods in international trade. For certain food products, foreign governments may require assurances from the responsible authority of the country of origin of an imported food product that the manufacturer/processor of the food

product is in compliance with applicable country of origin regulatory requirements. Some foreign governments establish additional requirements with which exporters are required to comply.

In August 2011, China's State General Administration of the People's Republic of China for Quality Supervision, Inspection, and Quarantine (AQSIQ) published the ''Administrative Measures for Registration of Overseas Manufacturers,'' known as AQSIQ Decree 145 (*https://gain.fas.usda.gov/Recent%20GAIN%20Publications/Registration%20of%20Overseas%20Food%20Manufacturing%20Facilities%20_Beijing_China%20-%20Peoples%20Republic%20of_6-27-2012.pdf*), which became effective May 1, 2012. AQSIQ Decree 145, among other requirements, mandates that foreign competent authorities provide the Certification and Accreditation Administration of China (CNCA) with a name list of overseas manufacturers of imported food applying for registration with CNCA for each commodity that CNCA has deemed to require registration. As of June 2017, milk and milk products, seafood, infant formula, and formula for young children are among the commodities for which CNCA requires registration of overseas manufacturers under AQSIQ Decree 145. CNCA has recognized FDA/Center for Food Safety and Applied Nutrition (CFSAN) as the competent food safety authority in the United States to establish and maintain lists of U.S. establishments that intend to export U.S. milk and milk products, seafood, infant formula, and/or formula for young children to China, including the corresponding products manufactured by each establishment and intended for export to China. In order to implement AQSIQ Decree 145, FDA and CNCA entered into a Memorandum of Understanding (China MOU) on June 15, 2017, which sets out the two agencies' intent to facilitate the conditions under which U.S. manufacturers/processors can export to China milk and milk products, seafood, infant formula, and/or formula for young children.

Under the China MOU, FDA intends to establish and maintain lists that identify U.S. manufacturers/processors that have expressed interest to FDA in exporting milk and milk products, seafood, infant formula, and/or formula for young children to China; are subject to our jurisdiction; and have been found by FDA to be in good regulatory standing with FDA, including a finding by FDA that, during the most recent facility inspection, the manufacturers/processors have been found to be in substantial compliance with all applicable FDA regulations, including, but not limited to, current good manufacturing practice requirements for the identified products for export to China. Further, the China MOU provides for FDA to receive evidence that the manufacturer/processor has been certified by a third-party certification body—as acknowledged by CNCA—to meet the relevant standards, laws, and regulations of China for the identified food products for export to China. On June 28, 2017, FDA issued a guidance document entitled, ''Establishing and Maintaining a List of U.S. Milk and Milk Product, Seafood, Infant Formula, and Formula for Young Children Manufacturers/Processors with Interest in Exporting to China: Guidance for Industry'' which can be found at *https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm378777.htm.* The guidance informs industry of information that FDA and CNCA will collect to manage the listing of these manufacturers/processors and foods for export to China pursuant to AQSIQ Decree 145 and the China MOU.

In accordance with 5 CFR 1320.13, FDA requested emergency review and approval of the collections of information found in the guidance document. The routine course of approval would have delayed our ability to collect the information from firms and, thus, would have been disruptive in our efforts to facilitate exports of food in compliance with requirements established by China in AQSIQ Decree 145. OMB granted the approval under emergency clearance procedures on June 27, 2017.

FDA uses the information submitted by manufacturers/processors to consider them for inclusion on FDA's lists of eligible manufacturers/processors that may ship food products to China, which we maintain. Updates to the FDA lists are sent to CNCA, which publishes quarterly its version of the information in the FDA lists on China's Web site (*http://english.cnca.gov.cn/*). The purpose of the lists is to assist China in its determination of which U.S. milk and milk product, seafood, infant formula, or formula for young children manufacturers/processors are eligible to import these products into China under applicable Chinese law. Currently FDA maintains lists for milk and milk product, seafood, infant formula, and formula for young children but FDA wants to be prepared if CNCA requires listing of manufacturers/processors of other CFSAN-regulated products in the future. As such, the information collection request is not limited to milk and milk product, seafood, infant formula, and formula for young children but also may include other CFSAN-regulated products.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
New written requests to be placed on the lists	370	1	370	1	370
Third-party certification	370	1	370	21	7,770
Biennial update	555	1	555	1	555
Third-party certification biennial update	555	1	555	21	11,655
Occasional updates	100	1	100	0.5	50
Total					20,400

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

The burden for this information collection has not changed since the last OMB approval. Based on our experience maintaining other export lists, we estimate that, annually, an average of 370 new manufacturers/processors will submit written requests to be placed on the China lists. The estimate of the number of hours that it will take a

manufacturer/processor to gather the information needed to be placed on a list or update its information is based on FDA's experience with manufacturers/processors submitting similar requests. FDA believes that the information to be submitted will be readily available to manufacturers/processors. We estimate that a firm will require 1 hour to read the guidance, gather the information needed, and prepare a communication to FDA that contains the information needed to request that the manufacturer/processor be placed on a list.

To be placed on a list, manufacturers/processors should provide FDA with evidence that they have obtained third-party certification from a CNCA-acknowledged certifier that the manufacturer/processor complies with the standards, laws, and regulations of China according to relevant requirements specified in AQSIQ Decree 145. Based on our experience with other certification programs, FDA estimates that it will take each new manufacturer/processor about 21 hours to complete the third-party certification process for a total of 7,770 burden hours (370 manufacturers/processors × 21 hours).

Under the guidance, every 2 years each manufacturer/processor on the lists must provide updated information in order to remain on the lists. FDA estimates that each year approximately half of the manufacturers/processors on the lists, or 555 manufacturers/processors (1,110 manufacturers/processors × 0.5 = 555), will resubmit the information to remain on the lists. We estimate that a manufacturer/processor already on the lists will require 1 hour to biennially update and resubmit the information to FDA, including time reviewing the information and corresponding with FDA, for a total of 555 hours.

During the biennial update, manufacturers/processors also need to be recertified by a third-party certifier to remain on the lists. FDA estimates that each year approximately half of the manufacturers/processors on the lists, 555 manufacturers/processors (1,110 manufacturers/processors × 0.5 = 555), will get recertified. We estimate that it will take each manufacturer/processor about 21 hours to complete the certification process for a total of 11,655 burden hours (555 manufacturers/processors × 21 hours).

FDA expects that, each year, approximately 100 manufacturers/processors will need to submit an occasional update and each manufacturer/processor will require 0.5 hours to prepare a communication to FDA reporting the change, for a total of 50 hours.

Dated: September 13, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19890 Filed 9–18–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–N–0932]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Experimental Study on Warning Statements for Cigarette Graphic Health Warnings

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 October 19, 2017.

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–NEW and title ''Experimental Study on Warning Statements for Cigarette Graphic Health Warnings.'' Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Jonalynn Capezzuto, Office of Operations, Food and Drug Administration, Three White Flint North, 10A63, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–3794, *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.

Experimental Study on Warning Statements for Cigarette Graphic Health Warnings

OMB Control Number 0910–NEW

The health risks associated with the use of cigarettes can be significant and far-reaching. In 2009, Congress enacted the Tobacco Control Act (TCA) (Pub. L. 111–31), which amends the Federal Food, Drug, and Cosmetic Act to grant FDA authority to regulate the manufacture, marketing, and distribution of tobacco products to protect the public health and to reduce tobacco use by minors. Section 201 of the Tobacco Control Act amends section 4 of the Federal Cigarette Labeling and Advertising Act (FCLAA) (15 U.S.C. 1333) to require FDA to issue ''regulations that require color graphics depicting the negative health consequences of smoking to accompany the label statements specified in subsection (a)(1).'' Section 202(b) of the Tobacco Control Act further amends section 4 of the FCLAA by adding that the Secretary, through notice and comment rulemaking, may adjust the ''text of any of the label requirements . . . . if the Secretary finds that such a change would promote greater public understanding of the risks associated with the use of tobacco products.''

In the **Federal Register** of June 22, 2011 (76 FR 36628), FDA issued a final rule entitled ''Required Warnings for Cigarette Packages and Advertisements,'' which specified nine images to accompany new textual warning statements for cigarettes. Although the rule was scheduled to become effective 15 months after it issued, a panel of the U.S. Court of Appeals of the District of Columbia held, on August 24, 2012, that the rule in its current form violated the First Amendment. In a letter to Congress on March 15, 2013, the Attorney General reported FDA's intention to undertake research to support a new rulemaking consistent with the Tobacco Control Act. Preliminary research has been underway since 2013. Informed by the previous court decisions on this matter, including on the First Amendment, the next phase of the research includes the study proposed here, which is an effort by FDA to collect data concerning revised textual warning statements for use with new images as part of cigarette graphic health warnings, and their potential impact on public understanding of the risks associated with the use of cigarettes.

As currently proposed, this Experimental Study on Warning Statements for Cigarette Graphic Health Warnings is a voluntary online

experiment conducted with consumers. The purpose of the proposed study is to assess whether potential textual warnings statements, which have been revised from those enumerated in section 4 of FCLAA, promote greater public understanding of the negative health consequences of cigarette smoking. The study will collect data from various groups of consumers, including adolescent (under age 18) current cigarette smokers, adolescents who are susceptible to initiation of cigarette smoking, young adult (ages 18 to 24) current cigarette smokers, and older adult (age 25 and above) current cigarette smokers. The results will inform the Agency's development of cigarette graphic health warnings to be tested in future studies with the goal of implementing the mandatory graphic warning label statement consistent with section 4(d) of FCLAA and the First Amendment.

Proposed Study Overview: In this study, adolescent current cigarette smokers, adolescents who are susceptible to initiation of cigarette smoking, young adult current cigarette smokers, and older adult current smokers will be recruited from an Internet panel of more than 1.2 million people and screened for inclusion into the study. Participants who meet the inclusion criteria will be randomized into 1 of 17 conditions in a between-subjects design. In each condition, participants will be exposed to a series of nine warning statements, presented sequentially. Participants randomized to the control condition will view all nine of the warning statements listed in section 4(a)(1) of FCLAA:

- WARNING: Cigarettes are addictive.
- WARNING: Tobacco smoke can harm your children.
- WARNING: Cigarettes cause fatal lung disease.
- WARNING: Cigarettes cause cancer.
- WARNING: Cigarettes cause strokes and heart disease.
- WARNING: Smoking during pregnancy can harm your baby.
- WARNING: Smoking can kill you.
- WARNING: Tobacco smoke causes fatal lung disease in nonsmokers.
- WARNING: Quitting smoking now greatly reduces serious risks to your health.

Participants randomized to 1 of the 16 experimental conditions will view 8 of the warning statements listed in section 4(a)(1) of FCLAA (first bulleted list in this document) plus 1 revised warning statement. The revised warning statements being tested in this proposed study are:

- WARNING: Smoking causes mouth and throat cancer.
- WARNING: Smoking causes head and neck cancer.
- WARNING: Smoking causes bladder cancer, which can lead to bloody urine.
- WARNING: Smoking during pregnancy causes premature birth.
- WARNING: Smoking during pregnancy stunts fetal growth.
- WARNING: Smoking during pregnancy causes premature birth and low birth weight.
- WARNING: Secondhand smoke causes respiratory illnesses in children, like pneumonia.
- WARNING: Smoking can cause heart disease and strokes by clogging arteries.
- WARNING: Smoking causes COPD, a lung disease that can be fatal.
- WARNING: Smoking causes serious lung diseases like emphysema and chronic bronchitis.
- WARNING: Smoking reduces blood flow, which can cause erectile dysfunction.
- WARNING: Smoking reduces blood flow to the limbs, which can require amputation.
- WARNING: Smoking causes type 2 diabetes, which raises blood sugar.
- WARNING: Smoking causes age-related macular degeneration, which can lead to blindness.
- WARNING: Smoking causes cataracts, which can lead to blindness.

In all conditions, after viewing each statement, participants will respond to a small number of questions about that specific statement (Section A in the questionnaire). After viewing the nine statements per their condition, participants will respond to a larger set of questions (Section B in the questionnaire). Next, participants in the experimental conditions will view an additional nine revised warning statements, drawn from the revised statements listed in this document, and respond to an additional set of questions (Section C in the questionnaire). Primary study outcomes include knowledge of the negative health consequences of cigarette smoking. Prior to the main data collection, 2 pretests, each with 50 participants, will take place to ensure correct programming and to identify any issues with the proposed study design and implementation.

In the **Federal Register** of March 28, 2017 (82 FR 15359), FDA published a 60-day notice requesting public comment on the proposed collection of information. FDA received 13 comment submissions. Eight submissions were PRA related, and some included multiple comments.

(Comment) Three comments suggested that the textual warning statements should be evaluated together with accompanying images because the impact of the final cigarette graphic warning labels will be a combination of the effects of both the text and images.

(Response) FDA declines to make this change at this time. This current phase of the research, which includes the study proposed here, is an effort by FDA to collect data concerning revised textual warning statements that may later be used with new images as part of cigarette graphic health warnings. In the future, FDA will conduct research pairing warning statements with images.

(Comment) One comment suggested using a longitudinal study design to understand the long-term effects of the warning statements.

(Response) FDA declines to make this change. A longitudinal study, while providing useful data, is beyond the scope of the research questions being addressed in the present study.

(Comment) One comment recommended FDA use a baseline assessment of understanding of risks associated with cigarette smoking in the form of a pre-exposure assessment of current awareness of negative health outcomes associated with cigarette smoking to evaluate respondents' baseline knowledge.

(Response) FDA declines to make this change. The measurement of baseline level of understanding of risk should be evenly distributed throughout the conditions due to the randomized nature of the experiment.

(Comment) One comment suggested that FDA implement prescreening measures and collect information about the study respondents.

(Response) Prior to randomization to condition, FDA will implement a screener to collect information about potential study participants to confirm eligibility. A copy of the screener is part of the overall package submitted to OMB for review through the public Web site *https://www.reginfo.gov.* Participant demographics will be assessed in the questionnaire and additional demographics will be provided by the Internet panel for all participants.

(Comment) Two comments suggested that FDA change the control group of warning statements to which the revised textual warning statements would be compared in this study.

(Response) FDA declines to make this change. The purpose of the proposed study is to test if the revised textual warning statements promote greater public understanding of the negative health consequences of cigarette smoking compared to the warnings enumerated in the TCA. Therefore, the

TCA warning statements are the appropriate comparison group.

(Comment) One comment questioned whether the use of an Internet panel is the most appropriate method for obtaining the desired information in this study, as compared to in-person interviews.

(Response) With respect to the sample, the large heterogeneous sample that can be obtained through the Internet panel will allow FDA to test outcomes across a range of individuals, thus strengthening the conclusions and generalizability of the study.

(Comment) Two comments suggested that the timing of the administration of Section B of the questionnaire (administered after viewing eight TCA warnings with one revised warning, but before viewing a second set of nine revised warnings) could introduce bias. One of those comments also suggested FDA remove Section B.

(Response) FDA declines to make such a change at this time. Section B includes the primary outcome measures necessary to assess participants' understanding of the negative health consequences of cigarette smoking as described in the revised warning statements compared to the TCA statements. Further, knowledge gained from exposure to questions in Section B is expected to be minimal and consistent across conditions. Therefore, any such knowledge gained from exposure to Section B would suggest that any differences found between conditions are robust.

(Comment) One comment recommended that FDA conduct a power analysis to ensure the sample size is adequate for detecting the expected effect size.

(Response) FDA agrees that it is important to conduct a power analysis; the Agency did conduct a power analysis to ensure the sample size is appropriate for the proposed study.

(Comment) One comment expressed a desire to see the questionnaire to be used in the study as well as an explanation of the study design.

(Response) FDA notes that the questionnaire and supporting statements outlining the study design and methods were available as supporting documents in the docket for public review during the public comment period. Additionally, the study is described in detail as part of the overall package submitted to OMB for review through the public Web site *https://www.reginfo.gov,* and copies of the instrument used to collect this information are also included in that package.

(Comment) Many comments focused on the content of the revised textual warning statements in the proposed study, and provided suggestions for changes to the wording of the warning statements and additional topics on which they should focus.

(Response) The topics being tested in this proposed study include a wide range of health conditions caused by cigarette smoking and are presented with as much information as practicable. The revised warning statements were developed based on opportunities to promote greater public understanding about the negative health consequences of cigarette smoking. In addition, prior to the proposed study, the warning statements have been tested with consumers; vetted by medical and other scientific experts; and revised to ensure that they clearly and understandably convey factual information about the negative health consequences associated with the use of cigarettes. Based on comments about the content of the revised textual warning statements and FDA's ongoing preparation for the proposed study, FDA is changing the warning statement ''WARNING: Smoking raises blood sugar, which can cause type 2 diabetes'' to ''WARNING: Smoking causes type 2 diabetes, which raises blood sugar.'' This change was made to better reflect the causal link between cigarette smoking and diabetes and to clarify that higher blood sugar is a result, not a cause, of diabetes. FDA has updated the questionnaire accordingly.

(Comment) One comment suggested that FDA conduct a ''meaningful pretest'' for the questionnaire.

(Response) As explained in the draft supporting statements included in the docket, the purpose of the pretests is to help ensure understandability of the questionnaire, to reduce participant burden, and to enhance interview administration. The questionnaire uses slightly modified versions of scales and instruments that have already been thoroughly tested and used in previous research.

(Comment) Many comments suggested changes to or addition of specific constructs as study outcomes or suggested how FDA should use the outcomes already included in the study. Measures suggested for FDA consideration included the following: How much the warning statements attract attention; how novel they are; personal identification with the statements; levels of emotion evoked/emotional appeal or emotional reaction; perceived risk or likelihood of the outcome occurring; and perceived effectiveness of the revised warning statements.

(Response) FDA declines to make such changes to the outcome measures, although FDA notes that the questionnaire already includes items assessing perceived effectiveness of the warnings. The purpose of this study is to assess whether potential textual warning statements, which have been revised from those enumerated in section 4 of FCLAA, promote greater understanding of the negative health consequences of cigarette smoking, and the proposed outcome measures focus on just such an evaluation. Therefore, the suggested outcome measures do not contribute to the evaluation of whether the revised warning statements improve public understanding of the negative health consequences of cigarette smoking.

(Comment) One comment noted that the study does not include information that would assist in the design of the graphic images.

(Response) FDA agrees that the proposed study does not include these outcomes, and the Agency declines to make such a change. The focus of this study is on the textual warning statements only to assess whether they promote greater understanding of the negative health consequences of cigarette smoking and not the design of the graphic images.

(Comment) Two comments stated that FDA was including measures of risk perception and suggested that FDA include additional risk perception measures, such as likelihood of the outcome; measures of absolute and comparative perceived risk; and perceptions of these risks over and above any ''background'' risk and other similar outcomes.

(Response) FDA declines to make such changes because this study does not aim to measure risk perceptions. The measures included in this proposed study assess knowledge and understanding of a negative health outcome caused by cigarette smoking. The goal of these measures is not to assess the absolute or relative level of perception of such risks, but rather to investigate the effect that viewing the warning statements has on increasing the understanding of the negative health consequences of cigarette smoking.

(Comment) Two comments suggested that, in order to minimize the burden of the proposed collection, FDA should use best practice methods for survey and focus group research, including developing a statistical analysis plan and involving a private consultant with experience in conducting such research efficiently.

(Response) As stated in the supporting statements included in the docket, FDA is working with a skilled and experienced research contractor to conduct the proposed study. In addition, FDA scientific experts possess skill and expertise in conducting such research. Survey and focus group best practices will be used, including avoiding bias in questions due to wording and question order and developing a statistical analysis plan.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Portion of study	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Screening for pretest	762	1	762	0.033 (2 minutes)	25
Pretest	100	1	100	0.25 (15 minutes)	25
Screening for main data collection	19,082	1	19,082	0.033 (2 minutes)	630
Main data collection	2,500	1	2,500	0.25 (15 minutes)	625
Total					1,305

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

FDA's burden estimate is based on prior experience with research that is similar to this proposed study. Screening potential participants for the 2 pretests will occur with 762 respondents (487 adults and 275 adolescents) identified and recruited through the Internet panel. This brief screening will take an average of 2 minutes (0.033 hours) per respondent. Each of the 2 pretests will consist of 50 respondents (34 adults and 16 adolescents) conducted during a single session and take an average of 15 minutes (0.25 hours) per respondent. Screening potential participants for the main data collection will occur with 19,082 respondents (11,925 adults and 7,157 adolescents) identified and recruited through the same Internet panel as used for the pretests. This brief screening will take an average of 2 minutes (0.033 hours) per respondent. Recent national estimates of the numbers of adolescent current cigarette smokers, adolescents who are susceptible to initiation of cigarette smoking, young adult current cigarette smokers, and older adult current cigarette smokers informed the estimates of 13.9 percent qualification rate for adults and 11.6 percent qualification rate for adolescents. Applying these estimates and other assumptions from previous experience conducting similar studies to the number of adolescents and adults to be screened results in the desired sample size for the main data collection of 2,500 participants, of which 1,667 will be adults and 833 will be adolescents. The main data collection will occur with those 2,500 respondents during a single session. The main data collection will take an average of 15 minutes (0.25 hours) per respondent. The total estimated burden is 1,305 hours (25 hours + 25 hours + 630 hours + 625 hours).

Dated: September 14, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19901 Filed 9–18–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–N–3615]

Administering the Hatch-Waxman Amendments: Ensuring a Balance Between Innovation and Access; Public Meeting; Request for Comments; Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public meeting; request for comments; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is extending the comment period for the public meeting on ''Administering the Hatch-Waxman Amendments: Ensuring a Balance Between Innovation and Access'' for which the notice of public meeting appeared in the **Federal Register** of June 22, 2017. In the notice of public meeting, FDA requested comments concerning administration of the Hatch-Waxman Amendments to the Federal Food, Drug, and Cosmetic Act (the FD&C Act) to help ensure that the intended balance between encouraging innovation in drug development and accelerating the availability to the public of lower cost alternatives to innovator drugs is maintained. The Agency is taking this action in response to a request for an extension to allow interested persons additional time to submit comments.

DATES: FDA is extending the comment period on the notice of public meeting published June 22, 2017 (82 FR 28493). Submit either electronic or written comments by November 17, 2017.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before November 17, 2017. The *https://www.regulations.gov* electronic filing system will accept comments until midnight Eastern Time at the end of November 17, 2017. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you

do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2017–N–3615 for ''Administering the Hatch-Waxman Amendments: Ensuring a Balance Between Innovation and Access; Public Meeting; Request for Comments.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Philip Bonforte, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 1668, Silver Spring, MD 20993, 240–402–6980, email: *GenericDrugPolicy@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In the **Federal Register** of June 22, 2017, FDA published a notice of public meeting with a 60-day comment period to request comments on the appropriate balance between encouraging innovation in drug development and accelerating the availability to the public of lower cost alternatives to innovator drugs. Interested persons were originally given until September 18, 2017, to comment.

Following publication of the June 22, 2017, notice of public meeting with request for comments, FDA received requests to allow interested persons additional time to comment. The requesters asserted that the time period of 60 days was insufficient to respond fully to FDA's specific requests for comments and to allow potential respondents to thoroughly evaluate and address pertinent issues.

FDA has considered the requests and is extending the comment period for the notice of public meeting until November 17, 2017.

Dated: September 14, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19904 Filed 9–18–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2009–D–0508]

Registration and Product Listing for Owners and Operators of Domestic Tobacco Product Establishments; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a revised guidance for industry entitled ''Registration and Product Listing for Owners and Operators of Domestic Tobacco Product Establishments.'' This guidance is intended to assist persons making tobacco product establishment registration and product listing submissions to FDA.

DATES: The announcement of the guidance is published in the **Federal Register** on September 19, 2017.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time comments as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2009–D–0508 for ''Registration and Product Listing for Owners and Operators of Domestic Tobacco Product Establishments.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• *Confidential Submissions*—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Submit written requests for single copies of this guidance to the Center for Tobacco Products, Food and Drug Administration, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G335, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request or include a fax number to which the guidance document may be sent. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance.

FOR FURTHER INFORMATION CONTACT: Matthew Brenner, Center for Tobacco Products, Food and Drug Administration, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G335, Silver Spring, MD 20993–0002, email: *CTPRegulations@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a revised guidance for industry entitled ''Registration and Product Listing for Owners and Operators of Domestic Tobacco Product Establishments.'' This guidance is intended to assist persons making tobacco product establishment registration and product listing submissions to FDA. We are issuing this guidance consistent with our good guidance practices regulation (§ 10.115 (21 CFR 10.115)). We are implementing this guidance without prior public comment because we have determined that prior public participation is not feasible or appropriate given the upcoming compliance deadline for registration and listing for certain owners and operators of tobacco product manufacturing establishments. In addition, the compliance policy for certain product listing labeling submissions set forth in this revised guidance presents a less burdensome policy consistent with the public health (§ 10.115(g)(2)). Although this guidance document is immediately in effect, it remains subject to comment in accordance with FDA's GGP regulation.

This revised guidance communicates a compliance policy for certain product listing labeling submissions. Specifically, FDA does not, at this time, intend to enforce the requirement that owners and operators of tobacco product establishments submit the labeling for each individually listed tobacco product if the registrant submits information that represents the labeling for a selected line of products. In deciding whether a registrant's submitted information falls within this compliance policy, FDA may consider whether the tobacco products' labeling is essentially identical (*e.g.,* the same formatting, fonts, colors, background text, and images) and whether the variations are limited to package size, nicotine strength, propylene glycol/vegetable glycerin ratio, and flavor. Under this compliance policy, a registrant could submit information that represents the labeling for a selected line of products, and FDA would not intend to enforce the requirements in subsections 905(i)(1)(A) and (B) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 387e(1)(A) and (B)) with regard to labeling submissions.

This revised guidance also updates the compliance date for registration and listing for persons who owned or operated domestic manufacturing establishments engaged in the manufacture of newly deemed products prior to August 8, 2016, and continued to own or operate such establishment(s) on or after August 8, 2016. Such persons are required to register and submit product listing information under section 905 of the FD&C Act by December 31, 2016. However, in a guidance issued in May 2017, FDA announced that it does not intend to enforce these requirements with respect to newly deemed products provided the registration and product listing submissions are received by FDA on or before September 30, 2017.

The guidance represents the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

This 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 section 905 of the FD&C Act have been approved under OMB control number 0910–0650.

III. Electronic Access

Persons with access to the internet may obtain an electronic version of the guidance at either *https://www.regulations.gov* or *https://www.fda.gov/TobaccoProducts/Labeling/RulesRegulationsGuidance/default.htm.*

Dated: September 14, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19928 Filed 9–18–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–N–3998]

Flavor Developer and Manufacturer Site Tours Program

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA), Center for Tobacco Products (CTP), is announcing an invitation for participation in its voluntary Flavor Developer and Manufacturer Site Tours Program. This program is intended to give CTP staff an opportunity to visit companies that develop and/or manufacture flavors (including flavor mixtures) that are sold to tobacco product manufacturers in order to gain a better understanding of the development, testing, and production of flavors and flavor mixtures used in the manufacturing of tobacco products. The site tours in this program are not intended as regulatory inspections. The purpose of this notice is to invite parties interested in participating in the Flavor Developer and Manufacturer Site Tours Program to submit requests to CTP.

DATES: Submit either an electronic or written request for participation in this program by November 20, 2017. See section IV of this document for information on requests for participation.

ADDRESSES: If your company is interested in offering a site visit, please submit a request either electronically to *https://www.regulations.gov* or in writing to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Karla Price, Office of Science, Center for Tobacco Products, Food and Drug Administration, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G335, Silver Spring, MD 20993–0002, 1–877–287–1373, email: *AskCTP@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act) was enacted on June 22, 2009, amending the Federal Food, Drug, and Cosmetic Act (the FD&C Act) by, among other things, adding a new chapter (chapter IX) granting FDA the authority to regulate tobacco product manufacturing, distribution, and marketing (Pub. L. 111–31). The Tobacco Control Act provides FDA authority to regulate cigarettes, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, and any other tobacco products that the Agency by regulation deems to be subject to the law. On May 10, 2016, FDA published a final rule entitled ''Deeming Tobacco Products to be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Restrictions on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products'' (81 FR 28974), which became effective on August 8, 2016. Under this rule, all products that meet the statutory definition of ''tobacco product'' set forth in section 201(rr) of the FD&C Act (21 U.S.C. 321(rr)), including components and parts, but excluding accessories of newly deemed products, are now subject to chapter IX of the FD&C Act.

CTP's Office of Science is conducting the Flavor Developer and Manufacturer Site Tours Program to provide its staff an opportunity to visit companies that develop and/or manufacture flavors (including flavor mixtures) that are sold to tobacco product manufacturers. Flavor developers and manufacturers are regulated by FDA if they, among other things, manufacture products that meet the statutory definition of a ''tobacco product'' set forth in section 201(rr) of the FD&C Act. The site tours will aid the Agency in gaining a better understanding of the development, testing, and production of flavors and flavor mixtures used in the manufacturing of tobacco products. The goal for the Flavor Developer and Manufacturer Site Tours Program is for CTP staff to gain firsthand exposure to how flavors are developed, tested, and produced.

II. Description of Flavor Developer and Manufacturer Site Tours Program

In the Flavor Developer and Manufacturer Site Tours Program, small groups of CTP staff will observe the operations of flavor developers and manufacturers, including the development, testing, and production of flavors that can be used by tobacco product manufacturers. The site tours in this program are not intended as regulatory inspections; rather, the program is meant to educate CTP staff and improve their understanding of flavors used in the manufacturing of tobacco products. It is anticipated that the site tours will take place in 2018.

III. Site Selection

CTP hopes to be able to tour small, medium, and large flavor developers and manufacturers, as well as companies that develop and/or manufacture flavors that are used for different categories of tobacco products (*e.g.,* cigarettes, cigars, smokeless tobacco, waterpipe tobacco, e-liquids). Final site selections will be based on the availability of funds and resources for the relevant fiscal year as well as the desire to visit a wide variety of flavor developers and manufacturers. All FDA travel expenses associated with the Flavor Developer and Manufacturer site tours will be the responsibility of FDA.

IV. Requests for Participation

To aid in site selection, your request for participation should include the following information:

- A description of your company, including the size of the organization;
- A list of the flavors your company develops and/or manufactures and the categories of tobacco product (*e.g.,* cigarettes, cigars, smokeless tobacco, waterpipe tobacco, e-liquids) for which your flavors are typically used;
- The physical address(es) of the site(s) for which you are submitting a request; and
- A proposed 1-day tour agenda.

Identify requests for participation with the docket number found in brackets in the heading of this document. Received requests are available for public examination in the Dockets Management Staff (see **ADDRESSES**) between 9 a.m. and 4 p.m., Monday through Friday.

Dated: September 14, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19900 Filed 9–18–17; 8:45 am]

BILLING CODE 4164–01–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, notice is hereby given of a meeting of the Clinical Trials Review Committee.

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: Heart, Lung, and Blood Initial Review Group; Clinical Trials Review Committee.

Date: October 26, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn Bethesda, 7301 Waverly Street, Bethesda, MD 20814.

Contact Person: Keary A Cope, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7190, Bethesda, MD 20892–7924, 301–827–7912, *copeka@mail.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: September 13, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19858 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Mental Health Services Research Committee, October 30, 2018, 8:00 a.m. to October 30, 2018, 5:00 p.m., Hotel Palomar, 2121 P Street NW., Washington, DC, 20036 which was published in the **Federal Register** on September 1, 2017, 82FR41631.

This meeting is being amended to correct the meeting date from October 30, 2018 to October 30, 2017. The meeting is closed to the public.

Dated: September 13, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19862 Filed 9–18–17; 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, 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; NIDDK KUH Fellowship Review.

Date: October 6, 2017.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Xiaodu Guo, MD, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7023, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–4719, *guox@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Clinical Small Business Applications.

Date: October 13, 2017.

Time: 3:00 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: Ryan G. Morris, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National institutes of Health, ROOM 7015, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, 301–594–4721, *ryan.morris@nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; NIDDK Pilot and Feasibility Clinical Trial (R21).

Date: October 26, 2017.

Time: 1:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Jason D. Hoffert, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7343, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, 301–496–9010, *hoffertj@niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; D2D Renewal.

Date: October 30, 2017.

Time: 3:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: MIchele L. Barnard, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7353, 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; NIDDK Research Project Grants.

Date: October 31, 2017.

Time: 3:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Elena Sanovich, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, ROOM 7351, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, 301–594–8886, *sanoviche@mail.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: September 13, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19860 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center For Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Center for Scientific

Review Special Emphasis Panel, September 12, 2017, 12:00 p.m. to September 12, 2017, 4:00 p.m., National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD, 20892 which was published in the **Federal Register** on August 15, 2017, 82 FR 38697.

The meeting will be held on October 24, 2017, 11:00 a.m. to 2:30 p.m. The meeting location remains the same. The meeting is closed to the public.

Dated: September 13, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19854 Filed 9–18–17; 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 Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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 Biomedical Imaging and Bioengineering Special Emphasis Panel; P41 BTRC Review Meeting (2018/01).

Date: October 16–18, 2017.

Time: 12:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Chase Park Plaza Royal, 212 N. Kingshighway Blvd., St. Louis, MO 63108.

Contact Person: Dennis Hlasta, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging And Bioengineering, National Institutes of Health, 6707 Democracy Blvd., Bethesda, MD 20892, (301) 496–4773, *dennis.hlasta@nih.gov.*

Name of Committee: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel; ESTEEMED (R25) Review Meeting (2018/01).

Date: November 8, 2017.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, Suite 920, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Dennis Hlasta, Ph.D., Scientific Review Officer, National Institute of Biomedical Imaging And Bioengineering, National Institutes of Health, 6707 Democracy Blvd., Bethesda, MD 20892, (301) 451–4794, *dennis.hlasta@nih.gov.*

Dated: September 13, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19859 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Dental & Craniofacial Research; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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: NIDCR Special Grants Review Committee.

Date: October 19–20, 2017.

Time: 8:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.

Contact Person: Marilyn Moore-Hoon, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of Dental and Craniofacial Research, 6701 Democracy Blvd., Rm. 676, Bethesda, MD 20892–4878, 301–594–4861, *mooremar@nidcr.nih.gov.*

Name of Committee: National Institute of Dental and Craniofacial Research Special Emphasis Panel, Neoantigen HNC Immunotherapeutics RFA–DE–18–004.

Date: October 24, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Morrison Clark Hotel, 1015 L Street NW., Washington, DC 20001.

Contact Person: Crina Frincu, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of Dental and Craniofacial Research, National Institutes of Health, 6701 Democracy Blvd., Suite 662, Bethesda, MD 20892, *cfrincu@mail.nih.gov.*

Name of Committee: National Institute of Dental and Craniofacial Research Special Emphasis Panel.

Date: November 3, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn Bethesda, 7301 Waverly Street, Bethesda, MD 20814.

Contact Person: Nisan Bhattacharyya, Ph.D., Scientific Review Officer, Scientific Review Branch, NIDCR, NIH, 6701 Democracy Boulevard, Suite 668, Bethesda, MD 20892, 301–451–2405, *nisan_bhattacharyya@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.121, Oral Diseases and Disorders Research, National Institutes of Health, HHS)

Dated: September 14, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19924 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Cancer Institute, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors for Clinical Sciences and Epidemiology; National Cancer Institute.

Date: November 13, 2017.

Time: 9:00 a.m. to 12:30 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: National Institutes of Health, 31 Center Drive, Building 31, Wing C; 6th Floor, Conference Room 6, Bethesda, MD 20892.

Contact Person: Brian E. Wojcik, Ph.D., Senior Review Administrator, Institute Review Office, Office of the Director, National Cancer Institute, National Institutes of Health, 9609 Medical Center, Room 3W414, Bethesda, MD 20892–9750, 240–276–5664, *wojcikb@mail.nih.gov.*

Name of Committee: Board of Scientific Counselors for Basic Sciences; National Cancer Institute.

Date: November 14, 2017.

Time: 9:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: National Institutes of Health, 31 Center Drive, Building 31, Wing C; 6th Floor, Conference Room 6, Bethesda, MD 20892.

Contact Person: Mehrdad Tondravi, Ph.D., Chief, Institute Review Office, Office of the Director, National Cancer Institute, National Institutes of Health, 9609 Medical Center, Room 3W302, Bethesda, MD 20892–9750, 240–276–5664, *tondravim@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: September 14, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19923 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; Review of NIGMS SCORE Applications.

Date: November 8, 2017.

Time: 8:30 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn Bethesda, 7301 Waverly Street, Bethesda, MD 20814.

Contact Person: Brian R. Pike, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3AN18, Bethesda, MD 20892, 301–594–3907, *pikebr@mail.nih.gov.*

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel; NIGMS Clinical Trial Review.

Date: November 13, 2017.

Time: 1:00 p.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Natcher Building, Room 3An.12N, 45 Center Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Brian R. Pike, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3AN18, Bethesda, MD 20892, 301–594–3907, *pikbr@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: September 13, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19861 Filed 9–18–17; 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, 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: Risk, Prevention and Health Behavior Integrated Review Group; Behavioral Medicine, Interventions and Outcomes Study Section.

Date: October 10–11, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz-Carlton Hotel at Pentagon City, 1250 South Hayes Street, Arlington, VA 22202.

Contact Person: Lee S. Mann, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3224, MSC 7808, Bethesda, MD 20892, 301–435–0677, *mannl@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Hypertension and Microcirculation.

Date: October 10, 2017.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Katherine M. Malinda, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4140, MSC 7814, Bethesda, MD 20892, 301–435–0912, *Katherine_Malinda@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR 16–278: Stimulating Innovations in Intervention Research for Cancer Prevention and Control.

Date: October 11, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz-Carlton Hotel at Pentagon City, 1250 South Hayes Street, Arlington, VA 22202.

Contact Person: Lee S. Mann, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3186, MSC 7848, Bethesda, MD 20892, 301–435–0677, *mannl@csr.nih.gov.*

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Clinical Neuroimmunology and Brain Tumors Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Courtyard by Marriott, 5520 Wisconsin Avenue, Chevy Chase, MD 20815.

Contact Person: Wei-Qin Zhao, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5181, MSC 7846, Bethesda, MD 20892–7846, 301–435–1236, *zhaow@csr.nih.gov.*

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Xenobiotic and Nutrient Disposition and Action Study Section.

Date: October 12, 2017.

Time: 8:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Handlery Union Square Hotel,351 Geary Street, San Francisco, CA 94102.

Contact Person: Martha Garcia, Ph.D., Scientific Reviewer Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2186, Bethesda, MD 20892, 301–435–1243, *garciamc@nih.gov.*

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review

Group; Motor Function, Speech and Rehabilitation Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.

Contact Person: Biao Tian, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3166, MSC 7848, Bethesda, MD 20892, 301–402–4411, *tianbi@csr.nih.gov.*

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Kidney, Nutrition, Obesity and Diabetes Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Melrose Hotel, 2430 Pennsylvania Ave. NW., Washington, DC 20037.

Contact Person: Fungai Chanetsa, Ph.D., MPH, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3135, MSC 7770, Bethesda, MD 20892, 301–408–9436, *fungai.chanetsa@nih.hhs.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR17–094: Maximizing Investigators' Research Award (R35).

Date: October 12–13, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Mark Caprara, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5156, MSC 7844, Bethesda, MD 20892, 301–613–5228, *capraramg@mail.nih.gov.*

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group; Social Psychology, Personality and Interpersonal Processes Study Section.

Date: October 12, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Doubletree Hotel Bethesda (Formerly Holiday Inn Select), 8120 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Marc Boulay, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3110, MSC 7808, Bethesda, MD 20892, (301) 300–6541, *boulaymg@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Learning, Memory, Language, Communication and Related Neurosciences.

Date: October 12, 2017.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Susan Gillmor, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1730, *susan.gillmor@nih.gov.*

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Synapses, Cytoskeleton and Trafficking Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Lorien Hotel & Spa, 1600 King Street, Alexandria, VA 22314.

Contact Person: Christine A. Piggee, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4186, MSC 7850, Bethesda, MD 20892, 301–435–0657, *christine.piggee@nih.gov.*

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Neural Oxidative Metabolism and Death Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.

Contact Person: Carol Hamelink, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4192, MSC 7850, Bethesda, MD 20892, (301) 213–9887, *hamelinc@csr.nih.gov.*

Name of Committee: Infectious Diseases and Microbiology Integrated Review Group; Host Interactions with Bacterial Pathogens Study Section.

Date: October 12, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: St. Gregory Hotel, 2033 M Street NW., Washington, DC 20036.

Contact Person: Fouad A. El-Zaatari, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3186, MSC 7808, Bethesda, MD 20892, (301) 435–1149, *elzaataf@csr.nih.gov.*

Name of Committee: Infectious Diseases and Microbiology Integrated Review Group; Clinical Research and Field Studies of Infectious Diseases Study Section.

Date: October 12–13, 2017.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Warwick Allerton—Chicago Hotel, 701 North Michigan Avenue, Chicago, IL 60611.

Contact Person: Soheyla Saadi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3211, MSC 7808, Bethesda, MD 20892, 301–435–0903, *saadisoh@csr.nih.gov.*

Name of Committee: Infectious Diseases and Microbiology Integrated Review Group; Pathogenic Eukaryotes Study Section.

Date: October 12–13, 2017.

Time: 8:30 a.m. to 5:00 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: Tera Bounds, DVM, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3198, MSC 7808, Bethesda, MD 20892, 301–435–2306, *boundst@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: September 13, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19852 Filed 9–18–17; 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; Electron Microscopes and Ancillary Equipment.

Date: October 3, 2017.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Wallace Ip, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5128, MSC 7840, Bethesda, MD 20892, 301–435–1191, *ipws@mail.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR 14–260: Health Promotion and Disease

Prevention among Native American Populations.

Date: October 11, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Martha L. Hare, Ph.D., RN, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3154, MSC 7770, Bethesda, MD 20892, (301) 451–8504, *harem@mail.nih.gov.*

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Health Disparities and Equity Promotion Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Crowne Plaza Washington National Airport, 1489 Jefferson Davis Hwy., Arlington, VA 22202.

Contact Person: Jessica Bellinger, Ph.D., Scientific Review Administrator, Center for Scientific of Review, National Institutes of Health, 6701 Rockledge Drive, Room 3158, Bethesda, MD 20892, 301–827–4446, *bellingerjd@csr.nih.gov.*

Name of Committee: Immunology Integrated Review Group, Transplantation, Tolerance, and Tumor Immunology Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Washington Plaza Hotel, 10 Thomas Circle NW., Washington, DC 20005.

Contact Person: Jin Huang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4199, MSC 7812, Bethesda, MD 20892, 301–435–1230, *jh377p@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: September 14, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19922 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Integrative Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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 Center for Complementary and Integrative Health Special Emphasis Panel; Mechanistic Studies to Optimize Mind and Body Interventions in NCCIH High Priority Research Topics (R33/R61).

Date: November 9, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Yisong Wang, Ph.D., Scientific Review Officer, Office of Scientific Review, NCCIH/NIH, Division of Extramural Activities, 6707 Democracy Boulevard, Suite 401, Bethesda, MD 20817, 301–480–9483, *yisong.wang@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Integrative Health, National Institutes of Health, HHS)

Dated: September 13, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19856 Filed 9–18–17; 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, 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; Optimizing Asthma Outcomes for Children.

Date: October 4, 2017.

Time: 12:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Washington Plaza Hotel, 10 Thomas Circle NW., Washington, DC 20005.

Contact Person: Gabriel B. Fosu, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3108, MSC 7808, Bethesda, MD 20892, (301) 435–3562, *fosug@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–15–308 and PAR–15–309: Innovative Basic Research on Adducts in Cancer Risk Identification and Prevention.

Date: October 6, 2017.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Jeffrey Smiley, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6194, MSC 7804, Bethesda, MD 20892, 301–594–7945, *smileyja@csr.nih.gov.*

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Cardiovascular Differentiation and Development Study Section.

Date: October 11, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Washington/Rockville, 1750 Rockville Pike, Rockville, MD 20852.

Contact Person: Sara Ahlgren, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm. 4136, Bethesda, MD 20817–7814, 301–435–0904, *sara.ahlgren@nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group; Skeletal Biology Development and Disease Study Section.

Date: October 12–13, 2017.

Time: 7:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Doubletree by Hilton Los Angeles Westside, 6161 West Centinela Avenue, Culver City, CA 90230.

Contact Person: Aruna K. Behera, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4211, MSC 7814, Bethesda, MD 20892, 301–435–6809, *beheraak@csr.nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group; Musculoskeletal Rehabilitation Sciences Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Baltimore Marriott Inner Harbor Camden Yards, 110 S. Eutaw St., Baltimore, MD 21201.

Contact Person: Maria Nurminskaya, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, Bethesda, MD 20892, (301) 435–1222, *nurminskayam@csr.nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Hepatobiliary Pathophysiology Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Jianxin Hu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2156, Bethesda, MD 20892, 301–827–4417, *jianxinh@csr.nih.gov*.

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Cellular and Molecular Biology of Glia Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.

Contact Person: Linda MacArthur, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4187, Bethesda, MD 20892, 301–537–9986, *macarthurlh@csr.nih.gov*.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Genetic Variation and Evolution Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Ronald Adkins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2206, MSC 7890, Bethesda, MD 20892, 301–435–4511, *ronald.adkins@nih.gov*.

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Macromolecular Structure and Function B Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: C-L Albert Wang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4146, MSC 7806, Bethesda, MD 20892, 301–435–1016, *wangca@csr.nih.gov*.

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Synthetic and Biological Chemistry A Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 5:00 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: Anita Szajek, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4187, Bethesda, MD 20892, 301–827–6276, *anita.szajek@nih.gov.*

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group; Interventions to Prevent and Treat Addictions Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Westgate Hotel, 1055 Second Avenue, San Diego, CA 92101.

Contact Person: Miriam Mintzer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Room 3108, Bethesda, MD 20892, (301) 523–0646, *mintzermz@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Integrative Nutrition and Metabolic Processes Study Section.

Date: October 12, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Westgate Hotel, 1055 Second Avenue, San Diego, CA 92101.

Contact Person: Gregory S. Shelness, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6156, Bethesda, MD 20892–7892, 301–755–4335, *greg.shelness@nih.gov.*

Name of Committee: Immunology Integrated Review Group; Hypersensitivity, Autoimmune, and Immune-mediated Diseases Study Section.

Date: October 12–13, 2017.

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: Deborah Hodge, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4207 MSC 7812, Bethesda, MD 20892, (301) 435–1238, *hodged@mail.nih.gov.*

Name of Committee: Emerging Technologies and Training Neurosciences Integrated Review Group; Neuroscience and Ophthalmic Imaging Technologies Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 10:15 a.m.

Agenda: To review and evaluate grant applications.

Place: Tampa Westshore Marriott, 1001 North Westshore Blvd., Tampa, FL 33607.

Contact Person: Yvonne Bennett, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5199, MSC 7846, Bethesda, MD 20892, 301–379–3793, *bennetty@csr.nih.gov.*

Name of Committee: Cell Biology Integrated Review Group; Development—2 Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 11:00 a.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Rass M Shayiq, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institute of Health, 6701 Rockledge Drive, Room 2182, MSC 7818, Bethesda, MD 20892, (301) 435–2359, *shayiqr@csr.nih.gov.*

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Kidney Molecular Biology and Genitourinary Organ Development.

Date: October 12, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.

Contact Person: Ganesan Ramesh, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2182 MSC 7818, Bethesda, MD 20892, 301–827–5467, *ganesan.ramesh@nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Auditory System Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Beacon Hotel and Corporate Quarters, 1615 Rhode Island Avenue NW., Washington, DC 20036.

Contact Person: Ying-Yee Kong, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5185, Bethesda, MD 20892, *ying-yee.kong@nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Mechanisms of Sensory, Perceptual, and Cognitive Processes Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites DC Convention Center, 900 10th Street NW., Washington, DC 20001.

Contact Person: Kirk Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7844, Bethesda, MD 20892, 301–435–1242, *kgt@mail.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Integrative Physiology of Obesity and Diabetes Study Section.

Date: October 12–13, 2017.

Time: 8:00 a.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.
Contact Person: Raul Rojas, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6185, Bethesda, MD 20892, (301) 451–6319, *rojasr@mail.nih.gov.*

Name of Committee: Immunology Integrated Review Group; Cellular and Molecular Immunology—B Study Section.
Date: October 12–13, 2017.
Time: 8:30 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The Allerton Hotel, 701 North Michigan Avenue, Chicago, IL 60611.
Contact Person: Betty Hayden, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4206, MSC 7812, Bethesda, MD 20892, 301–435–1223, *haydenb@csr.nih.gov.*

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Social Sciences and Population Studies B Study Section.
Date: October 12–13, 2017.
Time: 9:00 a.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Sheraton Suites Old Town Alexandria, 891 North Saint Asaph Street, Alexandria, VA 22314.
Contact Person: Kate Fothergill, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Room 3142, Bethesda, MD 20892, 301–435–2309, *fothergillke@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Molecular Neurodegeneration.
Date: October 12, 2017.
Time: 1:00 p.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.
Contact Person: Carole L. Jelsema, Ph.D., Chief and Scientific Review Administrator, MDCN Scientific Review Group, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4146, MSC 7850, Bethesda, MD 20892, (301) 435–1248, *jelsemac@csr.nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group; Oral, Dental and Craniofacial Sciences Study Section.
Date: October 13, 2017.
Time: 8:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Residence Inn Arlington Pentagon City, 550 Army Navy Drive, Arlington, VA 22202.
Contact Person: Yi-Hsin Liu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4214, MSC 7814, Bethesda, MD 20892, 301–435–1781, *liuyh@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Academic Research Enhancement Award.
Date: October 13, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.
Contact Person: Inna Gorshkova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1784, *gorshkoi@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Interventions to Prevent and Treat Addictions.
Date: October 13, 2017.
Time: 8:00 a.m. to 9:00 a.m.
Agenda: To review and evaluate grant applications.
Place: The Westgate Hotel, 1055 Second Avenue, San Diego, CA 92101.
Contact Person: Weijia Ni, Ph.D., Chief/Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3100, MSC 7808, Bethesda, MD 20892, (301) 594–3292, *niw@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR 16–242: Bioengineering Research.
Date: October 13, 2017.
Time: 10:15 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Tampa Marriott Westshore Hotel, 1001 N. Westshore Boulevard, Tampa, FL 33607.
Contact Person: Yvonne Bennett, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5199, MSC 7846, Bethesda, MD 20892, 301–379–3793, *bennetty@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Improvement of Animal Models for Stem Cell-Based Regenerative Medicine.
Date: October 13, 2017.
Time: 11:00 a.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Rass M Shayiq, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institute of Health, 6701 Rockledge Drive, Room 2182, MSC 7818, Bethesda, MD 20892, (301) 435–2359, *shayiqr@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cellular Molecular Immunology.
Date: October 13, 2017.
Time: 12:00 p.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Embassy Suites Alexandria Old Town, 1900 Diagonal Road, Alexandria, VA 22314.
Contact Person: Patrick K. Lai, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2215, MSC 7812, Bethesda, MD 20892, 301–435–1052, *laip@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: September 13, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19853 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Integrative Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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 Center for Complementary and Integrative Health Special Emphasis Panel; Fellowship, Career Development, and Research Grant Programs.
Date: November 8, 2017.
Time: 12:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Viatcheslav A. Soldatenkov, MD, Ph.D., Scientific Review Officer, Office of Scientific Review, Division of Extramural Activities, NCCIH/NIH, 6707 Democracy Boulevard, Suite 401, Bethesda, MD 20892, *soldatenkovv@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Integrative Health, National Institutes of Health, HHS)

Dated: September 13, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19855 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Integrative Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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 Center for Complementary and Integrative Health Special Emphasis Panel; Behavior Interventions for Prevention Opioid Use Disorders or Adjunct to Medication Assisted Treatment-SAMHSA Opioid STR Grants (R21/R33).

Date: December 6, 2017.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Yisong Wang, Ph.D., Scientific Review Officer, Office of Scientific Review, NCCIH/NIH, Division of Extramural Activities, 6707 Democracy Boulevard, Suite 401, Bethesda, MD 20817, 301–480–9483, *yisong.wang@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Integrative Health, National Institutes of Health, HHS)

Dated: September 13, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19857 Filed 9–18–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2017–0884]

Availability of Navigation and Vessel Inspection Circular, Guidance Implementing the Maritime Labour Convention, 2006

AGENCY: Coast Guard, DHS.

ACTION: Notice of availability.

SUMMARY: The Coast Guard announces the availability of Navigation and Vessel Inspection Circular (NVIC) 02–13, Change (1) entitled, ''Guidance Implementing the Maritime Labour Convention, 2006.'' This change incorporates the 2014 amendments to the Maritime Labour Convention (MLC) related to financial liability for repatriation of seafarers (MLC Regulation 2.5.2) and financial security relating to shipowners' liability in cases of seafarer injury or death (MLC Regulation 4.2.1) into the existing voluntary compliance framework for vessels that engage on international voyages to those countries that are signatory to the MLC. NVIC 02–13, Change (1) is available as indicated in this notice.

FOR FURTHER INFORMATION CONTACT: If you have questions on Change (1) to Navigation and Vessel Inspection Circular (NVIC) 02–13 call or email LCDR Christopher Nichols, Coast Guard at telephone 202–372–1208 or email *Christopher.M.Nichols@uscg.mil.*

SUPPLEMENTARY INFORMATION:

Public Participation and Comments

The changes to the NVIC are minor and do not impose any new requirements on ship owners or operators. These changes include updates to the Statement of Voluntary Compliance—Declaration of Maritime Labour Compliance (SOVC–DMLC) Parts I and II and the Owner/Operator Declaration of Maritime Labour Compliance (NVIC Enclosures (4), (5) and (6) respectively), to reflect the requirements relating to financial security for the repatriation of seafarers and financial security relating to shipowners' liability in cases of seafarer injury or death. In addition, a new form letter has been provided in Enclosure (12) which will serve as documentary evidence of financial security. The provisions of this NVIC are voluntary in nature. As such, no public participation or comment period is necessary.

Access to the NVIC

A copy of Navigation and Vessel Incpection Circular (NVIC) 02–13, Change (1) is available at the following Coast Guard Web site: *https://www.uscg.mil/hq/cg5/nvic/nvic.asp.*

Dated: September 14, 2017.

F.J. Sturm,

Acting Director of Commercial Regulations and Standards, U.S. Coast Guard.

[FR Doc. 2017–19894 Filed 9–18–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2017–0793]

Chemical Transportation Advisory Committee

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Notice of Chemical Transportation Advisory Committee meeting; teleconference option.

SUMMARY: The meeting of the full Chemical Transportation Advisory Committee (CTAC), scheduled for October 5, 2017, was announced in the **Federal Register** on August 30, 2017. *https://www.gpo.gov/fdsys/pkg/FR-2017-08-30/pdf/2017-18331.pdf* At that time no teleconference option was announced; this notice announces the alternative of participating by teleconference. To participate via teleconference, please dial 202–475–4000; the participant access code is 607 493 32#.

DATES: The teleconference option will be available between 9 a.m. and 5 p.m. on October 5, 2017, unless the meeting ends earlier. In-person participation is still available for the October 5 meeting as well as the subcommittee meetings on October 3 and 4; see the notice published August 30, 2017, for location and pre-registration details (link above). No teleconference option is available for the subcommittee meetings.

FOR FURTHER INFORMATION CONTACT: Lieutenant Jake Lobb, Alternate Designated Federal Official of the Chemical Transportation Advisory Committee, 2703 Martin Luther King Jr. Ave. SE., Washington, DC 20593–7509, telephone 202–372–1428, fax 202–372–8380, or *jake.r.lobb@uscg.mil.*

SUPPLEMENTARY INFORMATION: On August 30, 2017, the Coast Guard announced a meeting of the Chemical Transportation Advisory Committee, to occur at Coast Guard Headquarters in Washington, DC (82 FR 41279). The full committee will meet on October 5, after subcommittee meetings on October 3 and 4.

To accommodate committee members and members of the public whose travel plans may be affected by recent hurricanes, the U.S. Coast Guard is offering a teleconference option as an alternative to in-person participation. The teleconference will be available only on October 5. To participate via teleconference, please dial 202–475–4000; the participant access code is 607 493 32#. If you encounter technical difficulties with teleconference access,

contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Dated: September 14, 2017.

F.J. Sturm,

Acting Director of Commercial Regulations and Standards, U.S. Coast Guard.

[FR Doc. 2017–19926 Filed 9–18–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2016–1001]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number: 1625–0100

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 approval for reinstatement, without change, of the following collection of information: 1625–0100, Advanced Notice of Vessel Arrival. 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 October 19, 2017.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2016–1001] to the Coast Guard using the Federal eRulemaking Portal at *http://www.regulations.gov.* Alternatively, you may submit comments to OIRA using one of the following means:

(1) *Email: OIRA-submission@omb.eop.gov.*

(2) *Mail:* OIRA, 725 17th Street NW., Washington, DC 20503, attention Desk Officer for the Coast Guard.

(3) *Fax:* 202–395–6566. To ensure your comments are received in a timely manner, mark the fax, attention Desk Officer for the Coast Guard.

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, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE., Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Contact Mr. Anthony Smith, Office of Information Management, telephone 202–475–3532, or fax 202–372–8405, for questions on these documents.

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–2016–1001], and must be received by October 19, 2017.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *http://www.regulations.gov.* If your material cannot be submitted using *http://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *http://www.regulations.gov* and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments received will be posted without change to *http://www.regulations.gov* and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

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: 1625–0100.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard has published the 60-day notice (81 FR 95159, December 27, 2016) required by 44 U.S.C. 3506(c)(2). That Notice elicited no comments. Accordingly, no changes have been made to the Collections.

Information Collection Request

Title: Advanced Notice of Vessel Arrival.

OMB Control Number: 1625–0100.

Summary: The Ports and Waterways Safety Act authorizes the Coast Guard to require pre-arrival messages from any vessel entering a port or place in the United States.

Need: This information is required under 33 CFR 146 and 33 CFR 160 Subpart C to control vessel traffic, develop contingency plans, and enforce regulations.

Forms: None.

Respondents: Vessel owners and operators.

Frequency: On Occasion.

Hour Burden Estimate: The estimated burden has decreased from 110,983 hours to 104,515 hours a year due to a decrease in the estimated annual number of initial Notices of Arrival.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Dated: July 24, 2017.

Marilyn L. Scott-Perez,

Chief, Office of Information Management, U.S. Coast Guard.

[FR Doc. 2017–19886 Filed 9–18–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2017–0829]

Commercial Fishing Safety Advisory Committee

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Request for applications.

SUMMARY: The U.S. Coast Guard seeks applications for membership on the Commercial Fishing Safety Advisory Committee. The Commercial Fishing Safety Advisory Committee provides advice and makes recommendations to the Coast Guard and the Department of Homeland Security on various matters relating to the safe operation of commercial fishing industry vessels.

DATES: Completed applications should be submitted to the U.S. Coast Guard on or before November 20, 2017.

ADDRESSES: Applicants should send a cover letter expressing interest in an appointment to the Commercial Fishing Safety Advisory Committee that also identifies which membership category the applicant is applying under, along with a resume detailing the applicant's experience via one of the following methods:

- *By Email: Jonathan.G.Wendland@uscg.mil.*

Subject line: The Commercial Fishing Safety Advisory Committee.

- *By Mail:* Commandant (CG–CVC–3)/CFSAC, Attn: Mr. Jonathan Wendland, U.S. Coast Guard, 2703 Martin Luther King Ave. SE., Stop 7501, Washington, DC 20593–7501.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Wendland, Alternate Designated Federal Officer of the Commercial Fishing Safety Advisory Committee, 202–372–1245 or *Jonathan.G.Wendland@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Commercial Fishing Safety Advisory Committee is a federal advisory committee which operates under the provisions of the Federal Advisory Committee Act (Title 5, U.S.C. Appendix). The U.S. Coast Guard chartered the Commercial Fishing Safety Advisory Committee to provide advice on issues related to the safety of commercial fishing industry vessels regulated under Chapter 45 of title 46, United States Code, which includes uninspected fish catching vessels, fish processing vessels, and fish tender vessels. (See Title 46 U.S.C. 4508.)

The Commercial Fishing Safety Advisory Committee meets at least once a year. It may also meet for other extraordinary purposes. Its subcommittees or working groups may communicate throughout the year to prepare for meetings or develop proposals for the committee as a whole to address specific tasks.

Each member serves for a term of three years. An individual may be appointed to a term as a member more than once, but not more than two terms consecutively. All members serve at their own expense and receive no salary or other compensation from the Federal Government, although travel reimbursement and per diem may be provided for called meetings.

The U.S. Coast Guard will consider applications for seven (07) positions that will be vacant on January 2018 in the following categories:

(a) Individuals who represent the Commercial Fishing Industry (*four* positions);

(b) An individual who represents the general public (*one* position), a marine surveyor who provides services to vessels to which Chapter 45 of Title 46 U.S.C. applies;

(c) An individual who represents manufacturers of equipment for vessels to which Chapter 45 of Title 46, U.S.C. applies (one position);

(d) An individual who represents owners of vessels to which Chapter 45 of Title 46, U.S.C. applies (one position).

If you are selected as a member from the general public, you will be appointed and serve as a Special Government Employee as defined in Section 202(a) of Title 18, U.S.C. Applicants for appointment as a Special Government Employee are required to complete a Confidential Financial Disclosure Report (OGE Form 450). The U.S. Coast Guard may not release the reports or the information in them to the public except under an order issued by a Federal court or as otherwise provided under the Privacy Act (5 U.S.C. 552a). Only the Designated U.S. Coast Guard Ethics Official or his or her designee may release a Confidential Financial Disclosure Report. Applicants can obtain this form by going to the Web site of the Office of Government Ethics (*www.oge.gov*), or by contacting the individual listed in **FOR FURTHER INFORMATION CONTACT**. Applications for a member drawn from the general public which are not accompanied by a completed OGE Form 450 will not be considered.

Registered lobbyists are not eligible to serve on federal advisory committees in an individual capacity. See ''Revised Guidance on Appointment of Lobbyist to Federal Advisory Committees, Boards, and Commissions'' (79 CFR 47482, August 13, 2014). Registered lobbyists are lobbyists as defined in Title 2, U.S.C. 1602 who are required by Title 2 U.S.C. 1603 to register with the Secretary of the Senate and the Clerk of the House Representatives. The position we list for a member from the general public would be someone appointed in their individual capacity and would be designated as a Special Government Employee as defined in Section 202(a), Title 18, U.S.C.

The Department of Homeland Security does not discriminate in selection of Committee members on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identity, marital status, disability and genetic information, age, membership in an employee organization, or any other non-merit factor. The Department of Homeland Security strives to achieve a widely diverse candidate pool for all of its recruitment actions.

If you are interested in applying to become a member of the Committee, send your cover letter and resume to Mr. Jonathan Wendland, Commercial Fishing Safety Advisory Committee Alternate Designated Federal Officer, via one of the transmittal methods in the **ADDRESSES** section by the deadline in the **DATES** section. All email submittals will receive an email receipt confirmation.

Jennifer F. Williams,

Captain, U.S. Coast Guard, Director of Inspections and Compliance.

[FR Doc. 2017–19899 Filed 9–18–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Approval of Inspectorate America Corporation (Sulphur, LA), as a Commercial Gauger

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of approval of Inspectorate America Corporation (Sulphur, LA), as a commercial gauger.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Inspectorate America Corporation (Sulphur, LA), has been approved to gauge petroleum and certain petroleum products for customs purposes for the next three years as of March 29, 2017.

DATES: Inspectorate America Corporation (Sulphur, LA) was

approved as a commercial gauger as of March 29, 2017. The next triennial inspection date will be scheduled for March 2020.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Laboratories and Scientific Services Directorate, 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 151.13, that Inspectorate America Corporation, 384 North Post Oak Road, Sulphur, LA 70663 has been approved to gauge petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.13. Inspectorate America Corporation is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
5	Metering.
7	Temperature Determination.
8	Sampling.
12	Calculations.
14	Natural Gas Fluids Measurement.
17	Maritime Measurement.

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 *CBPGaugersLabs@cbp.dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: September 11, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–19864 Filed 9–18–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Intertek USA, Inc. (Bellingham, WA), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (Bellingham, WA), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Bellingham, WA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of August 16, 2016.

DATES: Intertek USA, Inc. (Bellingham, WA) was accredited and approved, as a commercial gauger and laboratory as of August 16, 2016. The next triennial inspection date will be scheduled for August 2019.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Laboratories and Scientific Services Directorate, 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 Intertek USA, Inc., 801 W. Orchard Dr., Suite 5, Bellingham, WA 98225 has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Intertek USA, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
2	Tank Calibration.
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties Data.
12	Calculations.
17	Marine Measurement.

Intertek USA, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–05	D 4298	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–07	D 4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27–13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry.
27–46	D 5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27–48	D 4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–54	D 1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method (Laboratory Procedure).
	D 4007	Standard Test Method for Water and Sediment in Crude Oil by the Centrifuge Method (Laboratory Procedure).

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 *CBPGaugersLabs@cbp.dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: September 11, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–19863 Filed 9–18–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Waiver of Compliance With Navigation Laws; Hurricanes Harvey and Irma

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice.

On September 8, 2017, I issued a limited waiver of the Jones Act upon the recommendation of the Department of Energy and at the request of the Department of Defense.[1] Hurricane Harvey striking the U.S. Gulf Coast has resulted in severe disruptions in both the midstream and downstream sectors of the oil supply system. Some refineries and pipeline networks are shut-in or running at reduced rates. Thus, conditions exist for a continued shortage of energy supply in areas predicted to be affected by Hurricane Irma. In light of this, the Department of Energy has recommended that the Department of Homeland Security waive the requirements of the Jones Act in the interest of national defense to facilitate the transportation of the necessary volume of petroleum products through September 22, 2017. Furthermore, the Department of Defense has requested a waiver of the Jones Act in the interest of national defense through September 22, 2017, commencing immediately.

The Jones Act, 46 United States Code (U.S.C.) 55102, states that a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is ''coastwise-qualified.'' The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can be waived under the authority provided by 46 U.S.C. 501. The statute provides in relevant part that on request of the Secretary of Defense, the head of an agency responsible for the administration of the navigation or vessel-inspection laws shall waive compliance with those laws to the extent the Secretary considers necessary in the interest of national defense. 46 U.S.C. 501(a).

For the reasons stated above, and in light of the request from the Department of Defense and the concurrence of the Department of Energy, I am exercising my authority to waive the Jones Act through September 22, 2017, commencing immediately, to facilitate movement of refined petroleum products, including gasoline, diesel, and jet fuel, to be shipped from New York, New Jersey, Delaware, Maryland, Pennsylvania, New Mexico, Texas, Louisiana, Mississippi, Alabama, and Arkansas to Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, and Puerto Rico. This waiver applies to covered merchandise laded on board a vessel through and including September 22, 2017.

Executed this 12th day of September, 2017.

Elaine C. Duke,

Acting Secretary of Homeland Security.

[FR Doc. 2017–19902 Filed 9–18–17; 8:45 am]

BILLING CODE 9111–14–P

[1] Published in the **Federal Register** at 82 FR 43248 (Sept. 14, 2017).

DEPARTMENT OF HOMELAND SECURITY

National Protection and Programs Directorate; Notification of Issuance of Binding Operational Directive 17–01 and Establishment of Procedures for Responses

AGENCY: National Protection and Programs Directorate, DHS.

ACTION: Issuance of binding operational directive; procedures for responses; notice of availability.

SUMMARY: In order to safeguard Federal information and information systems, DHS has issued a binding operational directive to all Federal, executive branch departments and agencies relating to information security products, solutions, and services supplied, directly or indirectly, by AO Kaspersky Lab or affiliated companies. The binding operational directive requires agencies to identify Kaspersky-branded products (as defined in the directive) on Federal information systems, provide plans to discontinue use of Kaspersky-branded products, and, at 90 calendar days after issuance of the directive, unless directed otherwise by DHS in light of new information, begin to remove Kaspersky-branded products. DHS is also establishing procedures, which are detailed in this notice, to give entities whose commercial interests are directly impacted by this binding operational directive the opportunity to respond, provide additional information, and initiate a review by DHS.

DATES: Binding Operational Directive 17–01 was issued on September 13, 2017. DHS must receive responses from impacted entities on or before November 3, 2017.

ADDRESSES: Submit electronic responses to Binding Operational Directive 17–01, along with any additional information or evidence, to *BOD.Feedback@hq.dhs.gov.*

SUPPLEMENTARY INFORMATION: The Department of Homeland Security (''DHS'' or ''the Department'') has the statutory responsibility, in consultation with the Office of Management and Budget, to administer the implementation of agency information security policies and practices for information systems, which includes assisting agencies and providing certain government-wide protections. 44 U.S.C. 3553(b). As part of that responsibility, the Department is authorized to ''develop[ ] and oversee[ ] the implementation of binding operational directives to agencies to implement the policies, principles, standards, and guidance developed by the Director [of the Office of Management and Budget] and [certain] requirements of [the Federal Information Security Modernization Act of 2014.]'' 44 U.S.C. 3553(b)(2). A binding operational directive (''BOD'') is ''a compulsory direction to an agency that (A) is for purposes of safeguarding Federal information and information systems from a known or reasonably suspected information security threat, vulnerability, or risk; [and] (B) [is] in accordance with policies, principles, standards, and guidelines issued by the Director[.]'' 44 U.S.C. 3552(b)(1). Agencies are required to comply with these directives. 44 U.S.C. 3554(a)(1)(B)(ii).

Overview of BOD 17–01

In carrying out this statutory responsibility, the Department issued BOD 17–01, titled ''Removal of Kaspersky-Branded Products.'' The text of BOD 17–01 is reproduced in the next section of this document.

Binding Operational Directive 17–01 may have adverse consequences for the commercial interests of AO Kaspersky Lab or other entities. Therefore, the Department will provide entities whose commercial interests are directly impacted by BOD 17–01 the opportunity to respond to the BOD, as detailed in the Administrative Process for Responding to Binding Operational Directive 17–01 section of this notice, below.

Text of BOD 17–01

Binding Operational Directive BOD–17–01

Original Issuance Date: September 13, 2017

Applies to: All Federal Executive Branch Departments and Agencies

FROM: Elaine C. Duke, Acting Secretary, Department of Homeland Security

CC: Mick Mulvaney, Director, Office of Management and Budget

SUBJECT: Removal of Kaspersky-Branded Products

A binding operational directive is a compulsory direction to Federal, executive branch, departments and agencies for purposes of safeguarding Federal information and information systems. 44 U.S.C. 3552(b)(1). The Department of Homeland Security (DHS) develops and oversees the implementation of binding operational directives pursuant to the Federal Information Security Modernization Act of 2014 (''FISMA''). 44 U.S.C. 3553(b)(2). Federal agencies are required to comply with these DHS-developed directives. 44 U.S.C. 3554(a)(1)(B)(ii). DHS binding operational directives do not apply to statutorily defined ''National Security Systems'' nor to certain systems operated by the Department of Defense and the Intelligence Community. 44 U.S.C. 3553(d)–(e).

Background: DHS, in consultation with interagency partners, has determined that the risks presented by Kaspersky-branded products justify issuance of this Binding Operational Directive.

Definitions:

• ''Agencies'' means all Federal, executive branch, departments and agencies. This directive does not apply to statutorily defined ''National Security Systems'' nor to certain systems operated by the Department of Defense and the Intelligence Community. 44 U.S.C. 3553(d)–(e)

• ''Kaspersky-branded products'' means information security products, solutions, and services supplied, directly or indirectly, by AO Kaspersky Lab or any of its predecessors, successors, parents, subsidiaries, or affiliates, including Kaspersky Lab North America, Kaspersky Lab, Inc., and Kaspersky Government Security Solutions, Inc. (collectively, ''Kaspersky''), including those identified below.

Kaspersky-branded products currently known to DHS are: Kaspersky Anti-Virus; Kaspersky Internet Security; Kaspersky Total Security; Kaspersky Small Office Security; Kaspersky Anti Targeted Attack; Kaspersky Endpoint Security; Kaspersky Cloud Security (Enterprise); Kaspersky Cybersecurity Services; Kaspersky Private Security Network; and Kaspersky Embedded Systems Security.

This directive does not address Kaspersky code embedded in the products of other companies. It also does not address the following Kaspersky services: Kaspersky Threat Intelligence and Kaspersky Security Training.

• ''Federal information system'' means an information system used or operated by an agency or by a contractor of an agency or by another organization on behalf of an agency.

Required Actions: All agencies are required to:

1. Within 30 calendar days after issuance of this directive, identify the use or presence of Kaspersky-branded products on all Federal information systems and provide to DHS a report that includes:

a. A list of Kaspersky-branded products found on agency information systems. If agencies do not find the use or presence of Kaspersky-branded products on their Federal information systems, inform DHS that no Kaspersky-branded products were found.

b. The number of endpoints impacts by each product, and

c. The methodologies employed to identify the use or presence of the products.

2. Within 60 calendar days after issuance of this directive, develop and provide to DHS a detailed plan of action to remove and discontinue present and future use of all Kaspersky-branded products beginning 90 calendar days after issuance of this directive. Agency plans must address the following elements in the attached template [1] at a minimum:

a. Agency name.

b. Point of contact information, including name, telephone number, and email address.

c. List of identified products.

d. Number of endpoints impacted.

e. Methodologies employed to identify the use or presence of the products.

f. List of Agencies (components) impacted within Department.

g. Mission function of impacted endpoints and/or systems.

h. All contracts, service-level agreements, or other agreements your agency has entered into with Kaspersky.

i. Timeline to remove identified products.

j. If applicable, FISMA performance requirements or security controls that product removal would impact, including but not limited to data loss/leakage prevention, network access control, mobile device management, sandboxing/detonation chamber, Web site reputation filtering/web content filtering, hardware and software whitelisting, vulnerability and patch management, anti-malware, anti-exploit, spam filtering, data encryption, or other capabilities.

k. If applicable, chosen or proposed replacement products/capabilities.

l. If applicable, timeline for implementing replacement products/capabilities.

m. Foreseeable challenges not otherwise addressed in this plan.

n. Associated costs related to licenses, maintenance, and replacement (please coordinate with agency Chief Financial Officers).

3. At 90 calendar days after issuance of this directive, and unless directed otherwise by DHS based on new information, begin to implement the agency plan of action and provide a status report to DHS on the progress of that implementation every 30 calendar days thereafter until full removal and discontinuance of use is achieved.

DHS Actions:

• DHS will rely on agency self-reporting and independent validation measures for tracking and verifying progress.

• DHS will provide additional guidance through the Federal Cybersecurity Coordination, Assessment, and Response Protocol (the C–CAR Protocol) following the issuance of this directive.

Potential Budgetary Implications: DHS understands that compliance with this BOD could result in budgetary implications. Agency Chief Information Officers (CIOs) and procurement officers should coordinate with the agency Chief Financial Officer (CFO), as appropriate.

DHS Point of Contact: Binding Operational Directive Team.[2]

[1] The template for agency plans has not been reproduced in the **Federal Register**, but is available (in electronic format) from DHS upon request.

[2] The email address to be used by Federal agencies to contact the DHS Binding Operational

Continued

Attachment: BOD 17–01 Plan of Action Template.[3]

Administrative Process for Responding to Binding Operational Directive 17–01

The Department will provide entities whose commercial interests are directly impacted by BOD 17–01 the opportunity to respond to the BOD, as detailed below:

- The Department has notified Kaspersky about BOD 17–01 and outlined the Department's concerns that led to the decision to issue this BOD. This correspondence with Kaspersky is available (in electronic format) to other parties whose commercial interests are directly impacted by BOD–17–01, upon request. Requests must be directed to *BOD.Feedback@hq.dhs.gov.*
- If it wishes to initiate a review by DHS, by November 3, 2017, Kaspersky, and any other entity that claims its commercial interests will be directly impacted by the BOD, must provide the Department with a written response and any additional information or evidence supporting the response, to explain the adverse consequences, address the Department's concerns, or mitigate those concerns.
- The Department's Assistant Secretary for Cybersecurity and Communications, or another official designated by the Secretary of Homeland Security (''the Secretary''), will review the materials relevant to the issues raised by the entity, and will issue a recommendation to the Secretary regarding the matter. The Secretary's decision will be communicated to the entity in writing by December 13, 2017.
- The Secretary reserves the right to extend the timelines identified above.

Elaine C. Duke,

Secretary of Homeland Security (Acting), Department of Homeland Security.

[FR Doc. 2017–19838 Filed 9–18–17; 8:45 am]

BILLING CODE 9910–9P–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[178A2100DD/AAKC001030/ A0A501010.999900 253G]

Proclaiming Certain Lands as Reservation for the Jamestown S'Klallam Tribe of Washington

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of reservation proclamation.

SUMMARY: This notice informs the public that the Acting Assistant Secretary—Indian Affairs proclaimed approximately 267.29 acres, more or less, an addition to the reservation of the Jamestown S'Klallam Tribe on July 21, 2017.

FOR FURTHER INFORMATION CONTACT: Ms. Sharlene M. Round Face, Bureau of Indian Affairs, Division of Real Estate Services, 1849 C Street NW., MS–4642–MIB, Washington, DC 20240, Telephone: (202) 208–3615.

SUPPLEMENTARY INFORMATION: This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by part 209 of the Departmental Manual.

A proclamation was issued according to the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 5110) for the land described below. The land was proclaimed to be the Jamestown S'Klallam Reservation for the Jamestown S'Klallam Tribe, Clallam County, State of Washington.

Jamestown S'Klallam Reservation for the Jamestown S'Klallam Tribe

14 Parcels—Legal Description Containing 267.29 Acres, More or Less

Tribal Tract Number: 129–T1004

Legal description containing 5.090 acres, more or less.

That portion of Lot 28 of Keeler's Sunrise Beach, as recorded in Volume 4 of plats, page 46, records of Clallam County, Washington, lying between the Northeasterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railway and the Northeasterly right of way line of the present existing State Highway No. 9 and bounded on the Southeasterly end by the Northerly right of way line of the existing Old Olympic Highway;

Also, that portion of the Northeast Quarter of the Southeast Quarter of Section 34, Township 30 North, Range 3 West, W.M., Clallam County, Washington, lying between the Northeasterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railway and the Northeasterly right of way line of the present existing State Highway No. 9.

Excepting therefrom that portion of the Northeast Quarter of the Southeast Quarter of said Section 34, Township 30 North, Range 3 West, W.M., Clallam County, Washington, described as follows starting and ending at the point identified as the *True Point Of Beginning:*

Commencing at the East Quarter Corner of said Section 34; thence North 87°42′55″ West, a distance of 317.69 feet along the North Line of the said Northeast Quarter of the Southeast Quarter to a point lying on the Northeasterly right-of-way line of the abandoned Chicago, Milwaukee, St. Paul and Pacific Railroad and the *True Point Of Beginning;* Thence South 49°56′33″ East along said right-of-way line, a distance of 112.08 feet to a point lying on a tangent curve, concave Southwesterly and having a radius of 2914.62 feet; Thence Southeasterly along said curve through a central angle of 05°25′36″, an arc length of 276.05 feet; Thence leaving said curve North 85°53′09″ West, a distance of 33.08 feet; Thence North 46°13′33″ West, a distance of 372.52 feet to the North line of said Northeast Quarter of the Southeast Quarter; Thence South 87°42′55″ East along said North line, a distance of 13.65 feet to the *True Point of Beginning.* As described in Boundary Line Agreement recorded May 29, 2007 as Recording No. 2007–1201967. Said instrument is a re-recording of Auditor's File No. 2007–1200907 and 2007–1201792. Situate in the County of Clallam, State of Washington. Containing 5.090 acres, more or less.

Tribal Tract Number: 130–T1169

Legal description containing 30.36 acres, more or less.

Parcel A: The East Half of the Southeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of the Northeast Quarter in Section 11, Township 30 North, Range 4 West, W.M., Clallam County, Washington.

Parcel B: An easement for ingress, egress and utilities over a 30 foot easement along the East Line of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter in Section 11, Township 30 North, Range 4 West, W.M., Clallam County, Washington. Containing 30.36 acres, more or less.

Tribal Tract Number: 129–T1003

Legal description containing 5.00 acres, more or less.

Parcel A: That portion of the South Half of the Northeast Quarter of the Northeast Quarter of Section 26, Township 30 North, Range 4 West, W.M., Clallam County, Washington, described as Parcel 1 as delineated on Survey recorded in Volume 4 of Surveys, page 25, under Auditor's File No. 497555, situate in Clallam County, State of Washington.

Parcel B: An easement for ingress, egress and utilities over, under and

Directive Team has not been reproduced in the **Federal Register**.

[3] The template for agency plans has not been reproduced in the **Federal Register,** but is available (in electronic format) from DHS upon request.

across the South 15 feet of Parcel 3 and the North 15 feet of the West 582 feet and East 30 feet of the South 327.61 feet of Parcel 4 of Survey recorded June 29, 1979 in Volume 4 of Surveys, page 25 under Auditor's File No. 497555, being a portion of the South Half of the Northeast Quarter of the Northeast Quarter of Section 26, Township 30 North, Range 4 West, W.M., Clallam County, Washington;

Also together with an easement for access across the South 30 feet of the East 82.74 feet of said Northeast Quarter of the Northeast Quarter; Also the right of easement to use for construction and maintenance of sewage disposal drainfields and appurtenances, over, under, across and upon the Northeast Quarter of Parcel 2 recorded under Auditor's File No. 497555. Containing 5.00 acres, more or less.

Tribal Tract Number: 156–T1157

Legal description containing 2.75 acres, more or less.

Lot U, Jamestown Addition in the North Half of Section 5, Township 30 North, Range 3 West, Williamette Meridian, Records of Clallam County, Washington, except any portion lying within County Road NR5550 (Jake Hall Road). Situate in Clallam County, State of Washington. Containing 2.75 acres, more or less.

Tribal Tract Number: 130–T1161

Legal description containing 1.18 acres, more or less.

That portion of Tracts 2, 3, 5, and 5A in Lot 2 of Assessor's Plat of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington, as recorded in Volume 4 of Plats, Page 5, lying Westerly of Zaccardo Road and Northerly of Boundary Line established in instrument recorded May 14, 1992 under Auditor's File No. 668449 described as follows:

Beginning at the Southwest Corner of said Tract 3; Thence South 30°32′52″ East 10.0 feet; Thence North 64°00′06″ East 208.45 feet to the Westerly margin of Zaccardo Road and the terminus of said line description. Situate in Clallam County, Washington. Containing 1.18 acres, more or less.

Tribal Tract Number: 130–T1175

Legal description containing 5.007 acres, more or less.

That portion of Government Lot 6 in Section 7, Township 29 North, Range 2 West, W.M., Clallam County, Washington, as delineated on Survey recorded in Volume 20 of Surveys, page 82, under Auditor's File No. 650637, more particularly described as follows: Beginning at the Northwest Corner of said Government Lot 6; Thence South 85 Degrees 31′53″ East along the North line of said Government Lot 6, a distance of 20 feet to the True Point of Beginning; Thence continuing South 85 degrees 31′53″ East, a distance of 970.00 feet; Thence South 2 Degrees 24′56″ West, parallel to the West Line of said Government Lot 6, a distance of 191.00 feet; Thence North 85 degrees 31′53″ West, parallel to the North Line of said Government Lot 6, a distance of 730.00 feet; Thence South 2 degrees 24′56″ West, parallel to the West line of said Government Lot 6, a distance of 137.40 feet; Thence North 85 degrees 31′53″ West, parallel to the North Line of said Government Lot 6, a distance of 240.00 feet to the intersection of the East right of way line of Zaccardo Road; Thence North 2 degrees 24′56″ East, parallel to the West line of said East right of way Line of Zaccardo Road; Thence North 2 degrees 24′56″ East, parallel to the West line of said East right of way line of Zaccardo Road also being parallel to the West line of said Government Lot 6, a distance of 328.40 feet to the True Point of Beginning. Situate in Clallam County, State of Washington. Containing 5.007 acres, more or less.

Tribal Tract Number: 130–T1162

Legal description containing 1.19 acres, more or less.

Lot 1 of Short Plat recorded in Volume 7 of Short Plats; Page 3, Under Clallam County Recording No. 496835, being a short plat of Parcel 5 of Survey recorded in Volume 3 of Surveys, page 119, in the Northwest Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 3 West, W.M. Situate in Clallam County, State of Washington. Containing 1.19 acres, more or less.

Tribal Tract Number: 130–T1165

Legal description containing 3.52 acres, more or less.

Lot 2, 3 and 4 of Clevenger Short Plat recorded on June 6, 1979 In Volume 7 of Short Plats, Page 3, Under Auditor's File No. 496835, being a portion of the Northwest Quarter of the Southwest Quarter in Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington. Containing 3.52 acres, more or less.

Tribal Tract Number: 130–T1164

Legal description containing 6.00 acres, more or less.

That portion of the West Half of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington, described as Lot 2, as delineated on Survey recorded on October 8, 1982 in Volume 8 of Surveys, page 17, under Auditor's File No. 535557. Containing 6.00 acres, more or less.

Tribal Tract Number: 129–T1000

Legal description containing 13.43 acres, more or less.

Portion of Tract 5 of Lot 1 of Assessor's Map of Section 12, together with tidelands in front of, adjacent to or abutting on the South 295 feet of Lot 1, per Independent Survey dated 7–9–91, recorded 8–21–91, in Volume 21, Page 68, under File Number 655576. Situated in Clallam County, State of Washington. Containing 13.43 acres, more or less.

Tribal Tract Number: 130–T1178

Legal description containing 24.220 acres, more or less.

That portion of the Northeast Quarter of the Northeast Quarter of Section 23, Township 30 North, Range 4 West, W.M., Clallam County, Washington, lying East of the Dungeness River described as follows:

Beginning at the Northeast Corner of said Section 23, said Northeast Corner being South 88 degrees 31′10″ East 2655.02 feet from the North Quarter Corner of said Section 23, and also being North 1 degree 58′10″ East 2657.11 feet from the East Quarter Corner of said Section 23, Thence South 89 degrees 58' West 506 feet, more or less, to the East edge of the Dungeness River; Thence Southerly along said East edge 468 feet, more or less, to a point which bears South 49 degrees 58′40″ West 680.40 feet from the Point of Beginning; Thence East 88.18 feet to the Northwesterly right of way of the County Road; Thence along said right of way being 30 feet perpendicular from the existing centerline thereof 570 feet, more or less, to a point on the East line of said Section 23, which point bears South 1 degree 58′10″ West 104.70 feet from the True Point of Beginning; Thence North 1 degree 58′10″ East 104.70 feet to the True Point of Beginning, containing 4.34 acres, more or less.

That portion of the Northeast Quarter of the Northeast Quarter of Section 23, Township 30 North, Range 4 West, W.M., Clallam County, Washington, lying East of the Dungeness River as it presently exists and South of the railroad right of way, more particularly described as follows:

Beginning at the Northeast Section Corner, said Section 23, Thence South 1 degree 58′10″ West along the East line thereof 670.05 feet to the South margin of the railroad right of way to the True Point of Beginning; Thence continuing South 1 degree 58′10″ West along said East line 658.50 feet to the South line of

said Northeast Quarter of the Northeast Quarter; Thence North 89 degrees 33′15″ West along said South line 355 feet, more or less, to the East bank of Dungeness River; Thence continuing along the approximate East bank of the Dungeness River North 20 degrees 06′ East 89.64 feet; Thence North 7 degrees East 180 feet; Thence North 7 degrees West 70 feet; Thence North 13 degrees West 200 feet; Then North 18 degrees West 150 feet to the South margin of railroad right of way; Thence along said railroad right of way South 88 degrees 02′45″ East 425 feet, more or less, to the True Point of Beginning, containing 5.14 acres, more or less.

That portion of the West 107.5 feet of the Northwest Quarter of the Northwest Quarter of Section 24, Township 30 North, Range 4 West, W.M., Clallam County, Washington, lying Northerly of the Centerline of County Road known as Hendrickson Road; Except that portion lying in said Hendrickson Road, containing 0.24 acre, more or less, after the above exception.

A strip of land 100 feet wide being the former right of way for the Chicago, Milwaukee, St. Paul and Pacific Railroad Company located in the Northeast Quarter of the Northwest Quarter and the North Half of the Northeast Quarter of Section 23, Township 30 North, Range 4 West, W.M., Clallam County, Washington, containing 6.0 acres, more or less.

Parcel A: That portion of the South Half of the South Half of the South Half of the Southeast Quarter of Section 14, Township 30 North, Range 4 West, W.M., Clallam County, Washington, lying East of the Dungeness River as it presently exists.

Parcel B: An easement 60 feet wide for ingress and egress over and across that portion of the Northeast Quarter of the Northeast Quarter of Section 23, Township 30 North, Range 4 West, W.M., Clallam County, Washington, lying east of the Dungeness River as it presently exists and North of the railroad right of way and North of County Road. Parcels A & B, containing 8.50 acres, more or less. Total Tract acres 24.220 acres, more or less.

Tribal Tract Number: 130–T1207

Legal description contains 11.035 acres, more or less.

Parcel A—Valaske: Lots 1 and 2 of Valaske Short Plat, recorded December 2, 1987 in Volume 18 of Short Plats, Page 18, under Clallam County Recording No. 598399, being a portion of the Northwest Quarter of the Southeast Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington.

Title to the lands herein described shall be subject to any existing easements for public road and highways, for public utilities and for railroads and pipelines and any other rights-of-way of record.

Parcel B—McPherson: All of James McPherson Short Plat, recorded April 6, 1976 in Volume 1 of Short Plats, Page 82, under Clallam County Recording No. 452796, being a portion of the Northeast Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington.

Parcel C—McLaughlin: Lot 1 of Burlile Short Plat recorded January 12, 1987 in Volume 17 of Short Plats, Page 45, under Auditor's File No. 586768, being a portion of the Northeast Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington; and That portion of Lot 2 of said Burlile Short Plat lying westerly of the following described line:

Beginning at the Southeast Corner of said Lot 2; Thence North 84 15′10″ West along the South line thereof 71.264 feet; Thence North 07 30′00″ West 237.507 feet; Thence North 31 30′00″ West 100.88 feet to the West Line of Lot 2; Thence North 06 36′08″ East along said West Line 144.62 feet to the North line of Lot 2.

Parcel D—McLaughlin: Lot 2 of Burlile Short Plat recorded January 12, 1987 in Volume 17 of Short Plats, Page 45, under Auditor's File No. 586768, being a portion of the Northeast Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington; Except that portion thereof lying westerly of the following described line:

Beginning at the Southeast Corner of said Lot 2; Thence North 84 15′10″ West along the South line thereof 71.264 feet; Thence North 07 30′00″ West 237.507 feet; Thence North 31 30′00″ West 100.88 feet to the West Line of Lot 2; Thence North 06 30′08″ East along said West line 144.62 feet to the North line of Lot 2.

Situate in Clallam County, State of Washington. Containing 11.035 acres, more or less.

Tribal Tract Number: 157–T1202

Legal description containing 19.15 acres, more or less.

The land referred to herein is situated in the County of Clallam, State of Washington, and described as follows:

Beginning at a point on the North-South line, 550 feet South of Center Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington, described as follows:

Thence North 83½° West, a distance of 66 feet;

Thence North 53½° West, a distance of 81 feet;

Thence North 160 feet;

Thence Easterly along South boundary of right of way Highway 101, a distance of 54 feet;

Thence South 226 feet, more or less, to the POINT OF BEGINNING. Situate in Clallam County, State of Washington.

Lot 2 of Jamestown S'Klallam Tribe Survey, recorded February 13, 2009 in Volume 67 of Surveys, page 94, under Clallam County Recording No. 2009 1232429, being a portion of the Northeast Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington. Situate in Clallam County, State of Washington.

Lot 3 of Jamestown S'Klallam Tribe Survey, recorded February 13, 2009 in Volume 67 of Surveys, page 94, under Clallam County Recording No. 2009 1232429, being the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington. Situate in Clallam County, State of Washington.

Lot 1 of Jamestown S'Klallam Tribe Survey, recorded February 13, 2009 in Volume 67 of Surveys, page 94, under Clallam County Recording No. 2009 1232429, being a portion of the Southeast Corner of the Northeast Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington. Situate in Clallam County, State of Washington.

Parcels A and B of Meyer Boundary Line Adjustment Survey, recorded December 14, 2004, in Volume 57 of Surveys, page 1, under Clallam County Recording No. 2004 1147158, being a portion of the Northwest Quarter of the Southeast Quarter of Section 12, Township 29 North, Range 3 West, W.M., Clallam County, Washington. Situate in Clallam County, State of Washington. Containing 19.15 acres, more or less.

Tribal Tract Number: 157–T1191

Legal description containing 139.36 acres, more or less.

Parcel A: Lot 16 of Mountain View Farm Tracts Plat Alteration, as per plat thereof recorded in Volume 13 of Plats, Page 94, Records of Clallam County, Washington.

Parcel B: Tract A and Lot 30 of Mountain Vista, as Per Plat thereof recorded in Volume 6 of Plats, Page 53, Records of Clallam County, Washington. Except the South 120 feet of the West 60 feet of said Tract A.

Parcel C: Tract ''T'' of Mountain Vista II, as recorded in Volume 6 of Plats, Page 73, Records of Clallam County, Washington.

Parcel D: The South 330 feet of the West 900 feet of the Southeast Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington; Excepting therefrom that portion described as beginning at the Southeast Corner of said Tract;

Running thence North along its East Boundary 330 feet;

Thence West along its North Boundary 200 feet;

Thence Southeasterly in a straight line 385 feet, more or less, to the point of beginning of this exception;

And except that portion conveyed to William H. Clevenger and Janis Clevenger, his wife, James M. Bunger and Barbara J. Bunger, his wife, and Richard J. Niichel and Frances M. Niichel, his wife, hereinafter called Ostrich Club, by Property Line Agreement recorded February 3, 1992, under Clallam County Recording No. 663413.

Parcel E: The Northeast Quarter of the Southwest Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington; Except that portion lying within the Plat of Mountain Vista II, as recorded in Volume 6 of Plat, Page 73, Records of Clallam County, Washington; Also except that portion conveyed to Don Edgington and Alice Edgington, husband and wife, by Deed dated May 22, 1980 and recorded on May 29, 1980, under Auditor's File No. 508165.

Parcel F: That portion of the Northeast Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, described as follows:

Beginning at the Northwest Corner of said Northeast Quarter of the Southeast Quarter;

Thence South 88°31′46″ East 135.38 feet along its North Line;

Thence South 1°55′39″ West 550.00 feet;

Thence South 88°31′46″ East 80.07 feet;

Thence South 1°55′39″ West 200.07 feet to the North Right-of-Way Line of May Road;

Thence South 35°13′03″ East 77.19 feet;

Thence North 86°13′48″ West 262.21 feet along the South Right-of-Way Line of May Road;

Thence North 1°55′39″ East 801.45 feet along the West Line of said Southeast Quarter to the true point of beginning.

Parcel G: That Portion of the Southwest Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, described as follows:

Thence South 88°00′49″ East along the South Line of said Southeast Quarter 1,002.44 feet to the point of beginning;

Thence continuing South 88°00″49″ East 326.32 feet to the East Line of the Southwest Quarter of said Southeast Quarter;

Thence North 1°55′39″ East along said East Line 496.67 feet;

Thence South 87°00′00″ West 215.32 feet;

Thence South 22°37′04″ West 315.88 feet;

Thence South 1°59′11″ West 182.36 feet to the point of beginning;

Except the South 30 feet for County Road No. 5250 known as Macleay Road.

Parcel H: That Portion of the Southwest Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, described as follows:

Beginning at a point on the South Line of said Southeast Quarter South 88°00′49″ East 200 feet from its Southwest Corner;

Thence North 88°00′49″ West 200 feet to said Southwest Corner;

Thence North 1°55′40″ East along its West Line 527.92 feet;

Thence South 81°30′ East 160 feet, more or less, to the East Margin of Vista View Drive;

Thence Northerly along said Easterly Margin 160 feet, more or less, to the Southwest Corner of Lot 2 of Replat of Lots 27, 28 and 29 of Mountain Vista, as Recorded in Volume 10 of Plats, Page 9;

Thence South 60°15′ East 64.55 feet, more or less, to the center of the main channel of an unnamed stream;

Thence Southerly along said center of stream to a point which bears North 1°55′4″ East of the point of beginning;

Thence South 1°55′40″ West 450 feet, more or less, to the point of beginning;

Excepting therefrom that portion lying within said Mountain View Vista, as recorded in Volume 6 of Plats, Page 53;

And also except the South 30 feet for County Road No. 5250 known as Macleay Road.

Parcel I: The West Half of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M.;

Excepting therefrom that portion of the Southwest Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, described as follows:

Beginning at the Southwest Corner of said Southeast Quarter;

Thence South 88°00′49″ East along the South Line of said Southeast Quarter 1,002.44 feet to the point of beginning;

Thence continuing South 88°00′49″ East 326.32 feet to the East Line of the Southwest Quarter of said Southeast Quarter;

Thence North 1°55′39″ East along said East Line 496.67 feet;

Thence South 87°00′00″ West 215.32 feet;

Thence South 22°37′04″ West 315.88 feet;

Thence South 1°59′11″ West 182.36 feet to the point of beginning;

And also except that portion of the Southwest Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, described as follows:

Beginning at a point on the South Line of said Southeast Quarter South 88°00′49″ East 200 feet from its Southwest Corner;

Thence North 88°00′49″ West 200 feet to said Southwest Corner;

Thence North 1°55′40″ East along its West Line 527.92 feet;

Thence South 81°30′ East 160 feet, more or less, to the east margin of Vista View Drive;

Thence Northerly along said easterly margin 160 feet, more or less, to the Southwest Corner of Lot 2 of Replat of Lots 27, 28 and 29 of Mountain Vista, as recorded in Volume 10 of Plats, Page 9;

Thence South 60°15′ East 64.55 feet, more or less, to the center of the main channel of an unnamed stream;

Thence Southerly along said center of stream to a point which bears North 1°55′40″ East of the point of beginning;

Thence South 1°55′40″ West 450 feet, more or less, to the point of beginning; And except the Plats of Mountain Vista, as recorded in Volume 6 of Plats, Page 53, and Mountain Vista II, as recorded in Volume 6 of Plats, Page 73 and Dungeness Condominium, as recorded in Volume 1 of Condominium, Pages 156–161 inclusive; And also except the South 30 Feet for County Road No. 5250 known as Macleay Road.

Parcel J: Lot 2 of Replat of Lots 27, 28 and 29 of Mountain Vista, as recorded in Volume 10 of Plats, Pages 9 and 10, Records of Clallam County, Washington.

Parcel K: The East 72.03 feet of the West 305.38 feet of the South 496.69 feet of the Southeast Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, except the South 30 feet thereof conveyed to Clallam County for Road by instrument recorded under Auditor's Files No. 357505.

Parcel L: Lot 1 of Stretch Short Plat, recorded June 26, 1995 in Volume 27 of Short Plats, Page 27, under Clallam County Recording No. 724466, being a portion of the Southeast Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington.

Parcel M: That Portion of the Northeast Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, described as follows:

Beginning at a point on the North Line of said Southeast Quarter of the Southeast Quarter which is South 88°31′46″ East 365.38 feet from the Northwest Corner thereof, said point being the Northwest Corner of Lot 10 of Mountain View Farm Tracts, as recorded in Volume 6 of Plats, Page 41, Records of Clallam County, Washington;

Thence North 88°31′46″ West 230.00 feet;

Thence South 1°55′39″ West 550.00 feet;

Thence South 88°31′46″ East 80.07 feet;

Thence South 1°55′39″ West 200.07 feet to the North Right of Way Line of May Road;

Thence South 86°13′48″ East along said Right of Way 150.00 feet to the Southwest Corner of above said Lot 10;

Thence North 1°55′39″ East along the West Line of said Lot 10, a distance of 756.09 feet to the true point of beginning.

Parcel N: Lots 1 and 2 of Fung Short Plat, recorded June 16, 1992 in Volume 23 of Short Plats, Page 61, Under Clallam County Recording No. 669868, being a Short Plat of Lot 5 Mountain View Farm Tracts, as per plat thereof recorded in Volume 6 of Plats, Page 41, Records of Clallam County, Washington.

Parcel O: Lots 1 and 2 of Frankfurth Short Plat, recorded May 5, 1983 in Volume 12 of Short Plats, Page 84, under Clallam County Recording No. 542230, and amended under Clallam County Recording No. 558809, being a portion of the Southeast Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington.

Parcel P: The East 496.69 feet of the South 469.69 feet of the Southeast Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington; Except the South 30 feet thereof for County Road known as Woodcock Road; And except the East 30 feet thereof for County Road known as Cays Road;

Parcel Q: Lot 2 of Stretch Short Plat, recorded June 26, 1995 in Volume 27 of Short Plats, Page 27, under Clallam County Recording No. 724466, being a portion of the Southeast Quarter of the Southeast Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington.

Parcel R: An easement to operate and maintain a golf course as conveyed by instrument recorded on February 3, 1992, under Clallam County Recording No. 663413, on the following described property, to-wit:

A portion of the Southeast Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 4 West, W.M., Clallam County, Washington, more particularly described as follows:

Commencing at the 4″ x 4″ concrete monument with a brass plate marking the Southwest Corner of said Southeast Quarter of the Northwest Quarter of said Section 3, as shown on Volume 12 of Surveys, Page 60, Records of Clallam County, Washington;

Thence South 88°31′16″ East along the South Line of said Southeast Quarter of the Northwest Quarter, a distance of 1,316.32 feet to the center of said Section 3, as shown on said Survey (all bearings and distances herein are relative to the Washington Coordinate System, North Zone), and the True Point of Beginning;

Thence North 88°31′16″ West along said South Line of the Southeast Quarter of the Northwest Quarter, a distance of 836.32 feet;

Thence North 45°02′43″ West, a distance of 412.20 feet;

Thence South 88°02′08″ East, a distance of 282.76 feet;

Thence South 40°06′24″ East, a distance of 249.91 feet;

Thence South 88°29′27″ East, a distance of 620.58 feet to the East Line of said Southeast Quarter of the Northwest Quarter;

Thence South 01°55′40″ West, a distance of 19.17 feet to the True Point of Beginning. Containing 139.36 acres, more or less.

The above described lands contain a total of 267.29 acres, more or less, which are subject to all valid rights, reservations, rights-of-way, and easements of record.

This proclamation does not affect title to the lands described above, nor does it affect any valid existing easements for public roads, highways, public utilities, railroads, and pipelines or any other valid easements or rights-of-way or reservations of record.

Dated: July 21, 2017.

Michael S. Black,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 2017–19915 Filed 9–18–17; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–24055; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting comments on the significance of properties nominated before August 19, 2017, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted by October 4, 2017.

ADDRESSES: Comments may be sent via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C St. NW., MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before August 19, 2017. Pursuant to section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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.

Nominations submitted by State Historic Preservation Officers:

ARIZONA

Maricopa County

Tucson, Cornelia and Gila Bend Railroad Caboose No. 15, 330 E. Ryan Rd., Chandler, SG100001660

Bauder, Jean and Paul, House (Single Family Residential Architecture of Josias Joesler and John and Helen Murphey MPS), 4775 N. Camino Antonio, Tucson vicinity, MP100001661

CALIFORNIA

Contra Costa County

Nystrom Elementary School, 230 Harbor Way S., Richmond, SG100001662

Riverside County

Jefferson, Thomas, Elementary School, 1040 S. Vicentia Ave., Corona, SG100001663

San Francisco County

Sacred Heart Parish Complex, 546 and 554 Fillmore, 735 Fell & 660 Oak Sts., San Francisco, SG100001665

Sierra County

Sierraville School, 305 S. Lincoln St., Sierraville, SG100001666

Solano County

Benicia Southern Pacific Railroad Passenger Depot, 90 1st St., Benicia, SG100001664

FLORIDA

Hillsborough County

Oaklawn and St. Louis Cemeteries Historic District, 606 E. Harriston St., Tampa, SG100001668

Michigan Avenue Bridge (Florida's Historic Highway Bridges), Columbus Dr. over the Hillsborough R., Tampa, MP100001669

St. Johns County

Storm Wreck, Address Restricted, St. Augustine vicinity, SG100001671

ILLINOIS

Lake County

Buffalo Creek Bridge, Robert Parker Coffin Rd. over Buffalo Cr., Long Grove, SG100001672

IOWA

Black Hawk County

Cedar Falls Downtown Historic District (Iowa's Main Street Commercial Architecture MPS), 102–422 Main, 100 blk. E. & W. 2nd, 100 blk. E. & W. 3rd, 100 blk. E. 4th Sts., Cedar Falls, MP100001673

MAINE

Waldo County

Dark Harbor Shop, 515 Pendleton Point Rd., Islesboro, SG100001677

MISSISSIPPI

Harrison County

Mason, Dr. Gilbert R. Sr., Medical Office, 670 Division St., Biloxi, SG100001679

Jones County

Mason, William H. and Marian D., House, 1050 N. 6th Ave., Laurel, SG100001680

Monroe County

Saunders—Paine House, The, 309 S. Matubba St., Aberdeen, SG100001678

South Central Aberdeen Historic District (Boundary Increase II) (Aberdeen MRA) , Roughly bounded by Commerce, Burnett, rear property lines of Franklin & W. side of S. Matubba Sts., Aberdeen, BC100001681

Oktibbeha County

Oktibbeha Gardens Subdivision Historic District, Roughly bounded by Critz & N. Montgomery Sts., Old West Point Rd. & Dr. Martin Luther King Jr. Dr. E., Starkville, SG100001682

Rogers, Emma and Ed, House, Longview Rd., Starkville, SG100001684

Washington County

Weinberg House, 639 Central St., Greenville, SG100001683

MISSOURI

Buchanan County

Benton Club of St. Joseph, The 402 N. 7th St., St. Joseph, SG100001687

Butler County

Garfield Historic District, 914–916, 915, 921 Garfield St., Poplar Bluff, SG100001686

St. Louis County

Hawthorne, Nathaniel, Elementary School, 1351 N. Hanley Rd., University City, SG100001688

Nims Mansion, 2701 Finestown Rd., Oakville, SG100001689

St. Louis Independent city

Burgherr's Service Station, 1956 Utah St., St. Louis (Independent City), SG100001690

Publicity Building, The 1133 Pine St., St. Louis (Independent City), SG100001691

NEW MEXICO

Santa Fe County

El Camino Real de Tierra Adentro—La Bajada North Section (El Camino Real de Tierra Adentro MPS (AD)), Address Restricted, La Cienega vicinity, MP100001692

A request for removal has been made for the following resource(s):

FLORIDA

Pinellas County

Belleview-Biltmore Hotel, Off FL 697, Clearwater, OT79000687

MAINE

Androscoggin County

Worumbo Mill On the bank of the Androscoggin River, Lisbon Falls, OT73000235

Lincoln County

Reed, Co. Isaac G., House 60 Glidden St., Waldoboro, OT05000796

MISSISSIPPI

Claiborne County

Valley of the Moon Bridge (Historic Bridges of Mississippi TR), Willows Rd., where it crosses Bayou Pierre, 2 mi. SE of Willows Port Gibson vicinity, OT05000561

Additional documentation has been received for the following resource:

MAINE

Kennebec County

Hallowell Historic District (Additional Documentation) 4 Dummer Ln., Hallowell, AD70000076

Nominations submitted by Federal Preservation Officers:

The State Historic Preservation Officer reviewed the following nomination and responded to the Federal Preservation Officer within 45 days of receipt of the nomination and supports listing the property the National Register of Historic Places.

Additional documentation has been received for the following resource:

VIRGINIA

Richmond Independent city

Richmond National Battlefield Park, 3215 E. Broad St. Richmond (Independent City) vicinity, AD66000836

Authority: 60.13 of 36 CFR part 60.

Dated: August 25, 2017.

Julie H. Ernstein,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2017–19842 Filed 9–18–17; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–(2220)–NPS0023067; PPWOPCADC0/PNA00RT14.GT0000]

Notice of Availability of Application by the Governor of Connecticut To Include Portions of the Housatonic River in the National Wild and Scenic Rivers System

AGENCY: National Park Service, Interior.

ACTION: Notice of availability.

SUMMARY: The Governor of Connecticut has requested that the Secretary of the Interior add a 41-mile segment of the Housatonic River to the National Wild and Scenic Rivers System. The National Park Service will conduct an evaluation of the Governor's request and make a recommendation to the Secretary about whether to include the proposed segments in the System after public and agency comment on the evaluation.

ADDRESSES: Materials submitted by the Governor are available online at: *https://parkplanning.nps.gov/projectHome.cfm?projectID=70346.*

FOR FURTHER INFORMATION CONTACT: Jamie Fosburgh, Northeast Region Rivers Program Leader, National Park Service, at *jamie_fosburgh@nps.gov,* or by telephone at 617–223–5191.

SUPPLEMENTARY INFORMATION: On November 16, 2016, Connecticut Governor Dannel P. Malloy requested the Secretary of the Interior to add a 41-mile segment of the Housatonic River from the Massachusetts—Connecticut border downstream to Boardman Bridge, New Milford, Connecticut, to the National Wild and Scenic Rivers System pursuant to Section 2(a)(ii) of the Wild and Scenic Rivers Act (Pub. L. 90–542;

16 U.S.C. 1273(a)(ii)). Application materials are available at: *https://parkplanning.nps.gov/projectHome.cfm?projectID=70346.*

Under the requirements of the Wild and Scenic Rivers Act, the Secretary of the Interior is directed to notify the Federal Energy Regulatory Commission upon receipt of an application and to publish such application in the **Federal Register** (16 U.S.C. 1273(a)(ii)). The purpose of this notice is to ensure that no actions are taken by departments or agencies of the United States, including the FERC, that might render the candidate river ineligible for designation during the one year period required for the Secretary's review of the Governor's application (16 U.S.C. 1278(b)), in this case until November 22, 2017.

Dated: September 12, 2017.

Jeffrey P. Reinbold,

Assistant Director, Partnerships and Civic Engagement.

[FR Doc. 2017–19719 Filed 9–18–17; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–24080; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting comments on the significance of properties nominated before August 26, 2017, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted by October 4, 2017.

ADDRESSES: Comments may be sent via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C St. NW., MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before August 26, 2017. Pursuant to section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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.

Nominations submitted by State Historic Preservation Officers:

ALASKA

Matanuska-Susitna Borough

Old Willow Community Center, W. Willow Community Center Cir., Willow, SG100001695

IOWA

Buchanan County

Pleasant Grove Presbyterian Church, 601 State St., Chatham, SG100001697

Linn County

First Church of Christ, Scientist, 1246 2nd Ave. SE., Cedar Rapids, SG100001698

Polk County

Bryn Mawr Apartments, 511 29th St., Des Moines, SG100001699

East Des Moines Industrial Historic District

Roughly E. 2nd to E. 5th & E. Walnut to E. Market Sts., Des Moines, SG100001700

KANSAS

Cowley County

Bryant School (Public Schools of Kansas MPS), 1011 Mansfield St., Winfield, MP100001701

Jefferson County

Maplecroft Farmstead (Agriculture-Related Resources of Kansas MPS), 2957 KOA Rd., Grantville vicinity, MP100001702

Riley County

Landmark Water Tower, Sunset Ave. & Leavenworth St., Manhattan, SG100001704

Russell County

Deeble Rock Garden, 126 Fairview Ave., Lucas, SG100001705

Sedgwick County

Cowie, E.S., Electric Company Buildings, 222, 226, 230, 232 S. Topeka St., Wichita, SG100001706

Shawnee County

Crawford, Nelson Antrim, House, 2202 SW. 17th St., Topeka, SG100001707

Topeka Cemetery Historic District (Boundary Increase), 1601 E. 10th St., Topeka, BC100001708

Sherman County

United Telephone Building, 1003 Main St., Goodland, SG100001709

LOUISIANA

Iberia Parish

Downtown New Iberia Commercial Historic District, Roughly bounded by Fulton, W. Main, Burke, Weeks, E. St. Peter, W. St. Peter & Jefferson Sts., New Iberia, SG100001710

Orleans Parish

Texaco Service Station, 3060 St. Claude Ave., New Orleans, SG100001711

St. John the Baptist Parish

Woodland Plantation, 1128 LA 628, LaPlace, SG100001712

St. Mary Parish

Franklin Foundation Hospital, 1501 Hospital Ave., Franklin, SG100001713

West Feliciana Parish

Como Plantation 5000 Como Rd., Weyanoke vicinity, SG100001714

NEW MEXICO

Cibola County

Charley's Automotive Service, 1310 W. Santa Fe Ave., Grants, SG100001715

Curry County

Lincoln Jackson School, 206 Alphon St. Clovis, SG100001716

SOUTH CAROLINA

Anderson County

Pelzer Manufacturing Company and Mill Village Historic District, Portions of Lebby, Reed, Courtney, Smythe, & Anderson Sts., Pelzer, SG100001718

Chester County

Mount Dearborn Military Reservation, Address Restricted, Great Falls vicinity, SG100001719

Hampton County

Gifford Rosenwald School 6146 Columbia Hwy., Gifford, SG100001720

TEXAS

Bell County

Stagecoach Inn (Boundary Increase) (Salado MRA), 401 S. Stagecoach Rd. Salado, BC100001721

Kendall County

Voelcker—Sueltenfuss House, 82 Swede Springs Rd., Boerne, SG100001722

WASHINGTON

Pierce County

College Park Historic District, Roughly bounded by N. Union Ave., N. Pine, N. 21st, N. Alder, N. 8th & N. 18th Sts., Tacoma, SG100001723

WISCONSIN

Milwaukee County

Saint Anthony Hospital, 1004 N. 10th St., Milwaukee, SG100001724

Additional documentation has been received for the following resource:

KANSAS

Leavenworth County

Leavenworth Downtown Historic District, Roughly Cherokee St., Delaware St., S. Fifth St., and Shawnee, St. Leavenworth, AD02000389

Nominations submitted by Federal Preservation Officers:

The State Historic Preservation Officer reviewed the following nominations and responded to the Federal Preservation Officer within 45 days of receipt of the nominations and supports listing the properties in the National Register of Historic Places.

COLORADO

Denver County

Denver—Colorado Springs—Pueblo Motor Way Company Inc. Garages, 2106 California & 2101 Welton Sts., Denver, SG100001696

OREGON

Crook County

Central Oregon Canal—Brasada Ranch Segment Historic District (Carey and Reclamation Acts Irrigation Projects in Oregon, 1901–1978 MPS), 16986 SW. Brasada Ranch Rd., Powell Butte vicinity, MP100001717

Authority: 60.13 of 36 CFR part 60.

Dated: August 29, 2017.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program Keeper, National Register of Historic Places.

[FR Doc. 2017–19843 Filed 9–18–17; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0080]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Notification of Change of Mailing or Premise Address

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection was previously published in the **Federal Register**, on July 19, 2017, allowing for a 60-day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until October 19, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any other additional information, please contact Shawn Stevens, ATF Industry Liaison, Federal Explosives Licensing Center, either by mail at Federal Explosives Licensing Center, 244 Needy Road, Martinsburg, WV 25405 or by email at *Shawn.Stevens@atf.gov.* Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, without change, of a currently approved collection.

(2) *The Title of the Form/Collection:* Notification of Change of Mailing or Premise Address.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* *Form number:* None.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.

Other: Individuals or households.

Abstract: Per 27 CFR 555.54, licensees and permittees whose mailing address will change, must notify the Chief, Federal Explosives Licensing Center, at least 10 days before the change. This information collection will be used by the ATF to identify the correct location of both explosives licensees/permittees, and the address where their explosive materials are being stored, for purposes of inspection. This information will also be used to notify permittee/licensees about any changes in regulation or law that may affect their business activities.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 1,000 respondents will utilize this collection, and it will take each respondent approximately 10 minutes to prepare the required response to this collection.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 170 hours which is equal to 1000 (the total # of respondents) * .17 (10 minutes).

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: September 14, 2017.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–19916 Filed 9–18–17; 8:45 am]

BILLING CODE 4410–14–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (17–065)]

NASA Aerospace Safety Advisory Panel; Meeting

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the National Aeronautics and

Space Administration announces a forthcoming meeting of the Aerospace Safety Advisory Panel.

DATES: Thursday, October 5, 2017, 10:15 a.m. to 11:30 a.m., Local Time.

ADDRESSES: NASA Johnson Space Center, Room 966, 2101 NASA Parkway, Building 1, Houston, TX 77058.

FOR FURTHER INFORMATION CONTACT: Ms. Evette Whatley, Aerospace Safety Advisory Panel Administrative Officer, NASA Headquarters, Washington, DC 20546, (202) 358–4733, or email at *evette.whatley@nasa.gov.*

SUPPLEMENTARY INFORMATION: The Aerospace Safety Advisory Panel (ASAP) will hold its Fourth Quarterly Meeting for 2017. This discussion is pursuant to carrying out its statutory duties for which the Panel reviews, identifies, evaluates, and advises on those program activities, systems, procedures, and management activities that can contribute to program risk. Priority is given to those programs that involve the safety of human flight. The agenda will include:

- Updates on the Exploration Systems Development
- Updates on the Commercial Crew Program
- Updates on the International Space Station Program

The meeting will be open to the public up to the seating capacity of the room. Seating will be on a first-come basis. This meeting is also available telephonically. Any interested person may call the USA toll free conference call number (888) 469–0505; pass code 5829034. Attendees will be required to sign a visitor's register and to comply with NASA security requirements, including the presentation of a valid picture ID, before receiving an access badge. U.S. citizens and Permanent Residents (green card holders) desiring to attend the ASAP 2017 Fourth Quarterly Meeting at the NASA Johnson Space Center must provide their full name and company affiliation (if applicable) to Ms. Stephanie Castillo at *stephanie.m.castillo@nasa.gov,* or by fax 281–483–2200 or telephone 281–483–3341 by September 25, 2017. Foreign Nationals attending the meeting will be required to provide a copy of their passport and visa, in addition to providing the following information by September 21, 2017: Full name; gender; date/place of birth; citizenship; visa information (number, type, expiration date); passport information (number, country, expiration date); employer/affiliation information (name of institution, address, country, telephone); and title/position of attendee. Additional information may be requested. Permanent Residents should provide this information: Green card number and expiration date. Persons with disabilities who require assistance should indicate this. Photographs will only be permitted during the first 10 minutes of the meeting.

At the beginning of the meeting, members of the public may make a verbal presentation to the Panel on the subject of safety in NASA, not to exceed 5-minutes in length. To do so, members of the public must contact Ms. Evette Whatley at *evette.whatley@nasa.gov* or at (202) 358–4733 at least 48 hours in advance. Any member of the public is permitted to file a written statement with the Panel at the time of the meeting. Verbal presentations and written comments should be limited to the subject of safety in NASA. It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Patricia D. Rausch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 2017–19866 Filed 9–18–17; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request

AGENCY: National Science Foundation.

ACTION: Submission for OMB review; comment request.

SUMMARY: The National Science Foundation (NSF) has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995 on the Survey of Graduate Students and Postdoctorates in Science and Engineering. NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of 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.

DATES: Comments regarding these information collections are best assured of having their full effect if received October 19, 2017.

ADDRESSES: Comments should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for National Science Foundation, 725 17th Street NW., Room 10235, Washington, DC 20503, and to Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Boulevard, Suite 1265, Arlington, Virginia 22230 or send email to *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including federal holidays).

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton at *splimpto@nsf.gov.* Copies of the submission may be obtained by calling 703–292–7556.

SUPPLEMENTARY INFORMATION: This is the second notice for public comment on plans to obtain OMB clearance for the Survey of Graduate Students and Postdoctorates in Science and Engineering; the first notice was published in the **Federal Register** at 82 FR 20921, and no comments were received. NSF is forwarding the proposed renewal submission to the Office of Management and Budget (OMB) for clearance simultaneously with the publication of this second notice. The full submission may be found at: *http://www.reginfo.gov/public/do/PRAMain.*

Title: Survey of Graduate Students and Postdoctorates in Science and Engineering

OMB Approval Number: 3145–0062.

Summary of Collection: Established within the NSF by the America COMPETES Reauthorization Act of 2010 § 505, codified in the National Science Foundation Act of 1950, as amended, the National Center for Science and Engineering Statistics (NCSES) serves as a central Federal clearinghouse for the collection, interpretation, analysis, and dissemination of objective data on science, engineering, technology, and

research and development for use by practitioners, researchers, policymakers, and the public.

The Survey of Graduate Students and Postdoctorates in Science and Engineering (GSS), sponsored by NCSES within NSF and the National Institutes of Health, is designed to comply with legislative mandates by providing information on the characteristics of graduate students and postdoctorates appointees (postdocs) in science, engineering and health (SEH) fields. The GSS, which originated in 1966 and has been conducted annually since 1972, is a census of all departments in SEH fields within academic institutions with graduate programs in the United States.

The GSS is the only national survey that collects information on the characteristics of graduate enrollment for specific SEH disciplines at the department level. It collects information on ethnicity and race, citizenship, sex, sources of support, mechanisms of support, and enrollment status for graduate students; information on postdocs by ethnicity and race, citizenship, sex, sources of support, mechanism of support, doctorate type and degree origin; and information on other doctorate-holding non-faculty researchers by gender and doctorate type. To improve coverage of postdocs, the GSS also periodically collects information on the ethnicity and race, sex, citizenship, source of support, field of research for the postdocs employed in Federally Funded Research and Development Centers (FFRDCs). The data are solicited under the authority of the National Science Foundation Act of 1950, as amended, and the Privacy Act of 1974. All information will be used for statistical purposes only. Participation in the survey is voluntary.

Starting in 2017, the GSS will be redesigned to improve the data utility, data reporting, and to reduce response burden. The redesign changes to be implemented include: (1) Separate reporting of enrollment and financial support data for master's and doctoral students; (2) reporting of data based on the Classification of Instructional Programs (CIP) codes for the departments; and (3) expanding the institutional use of file transfers for data submission, instead of manual entry of data in the GSS Web survey instrument. The redesigned data collection will not ask new questions but the primary method used to report the graduate student enrollment and financial support data will change for the institutions.

The initial GSS data request will be sent to the designated respondent (School Coordinator) at each academic institution in the fall. The School Coordinator may upload a file with requested data on the GSS Web site, which will automatically aggregate the data and populate the cells of the Web survey instrument for each eligible unit (departments, programs, research centers and health care facilities).

The School Coordinator will be also able to upload partial data (*e.g.,* student enrollment information) and delegate the provision of other data (*e.g.,* financial support information) to appropriate unit respondents at their institution. The GSS institutions which do not want to upload data files will be able to complete the survey through manual entry of data in the Web survey instrument as in the past.

Use of the Information: The GSS data are routinely provided to Congress and other Federal agencies. The GSS institutions are major users of the GSS data, along with professional societies such as the American Association of Universities, Association of American Medical Colleges, and the Carnegie Foundation. Graduate enrollment and postdoc data are often used in reports by the national media. The GSS (along with other academic sector surveys from both NCSES and the National Center of Education Statistics) is one of the inputs into the NCSES data system, which provides access to science and engineering (S&E) statistical data from U.S. academic institutions. Among other uses, this online data system is used by NSF to review changing enrollment levels to assess the effects of NSF initiatives, to track graduate student support patterns and to analyze participation in S&E fields by targeted groups for all disciplines or for selected disciplines and for selected groups of institutions.

NSF will publish statistics from the survey in several reports, including the National Science Board's *Science and Engineering Indicators* and NCSES' *Women, Minorities and Persons with Disabilities in Science and Engineering.* These reports will be made available electronically on the NSF Web site. A public use file is also made available.

Expected Respondents: The GSS is a census of all eligible academic institutions in the U.S. with graduate programs in SEH fields. The estimated total number of respondents surveyed in 2017 survey is 15,972 departments or programs in about 826 schools within 700 SEH graduate degree-granting institutions. The response rate is calculated on the number of departments that respond to the survey. NCSES expects the response rate to remain around 99 percent.

Estimate of Burden: The amount of time it takes to complete the GSS data varies dramatically across institutions, and depends to a large degree on the number of reporting units, and the extent to which the school's records are centrally stored and computerized. It also depends on the number of institutions using the manual data entry or the file upload option to provide the GSS data. Based on the Pilot data collection conducted during the 2016 GSS that was designed to test the feasibility of the GSS redesign, a large majority of the institutions are expected to use the file upload options to submit data.

Burden estimate calculations are based on the survey completion times reported by the 2016 Pilot GSS respondents, as compared to their completion times reported in the 2015 GSS. Because completion time differs by reporting institution type, burden is estimated separately based on three types of institutions and the proportion they constitute in the GSS frame—institutions enrolling only master's students, institutions enrolling both master's and doctoral students with 15 or fewer reporting units, and institutions enrolling both master's and doctoral students with more than 15 reporting units (see Table 1).

TABLE 1—EXPECTED COMPOSITION OF 2017 GSS FRAME

Institution type	Number of schools	Percent
Master's Only	339	41.0
Master's/Doctorate: 15 or fewer units	205	24.8
Master's/Doctorate: More than 15 units	282	34.2
Total	826	100.0

Burden estimates for each reporting institution type are shown in Table 2.

TABLE 2—BURDEN ESTIMATES FOR THE 2017 GSS

School type	Respondents (number of schools)	Average burden (hours)	Total burden (hours)
Master's Only	339	5.9	2,000
Master's/Doctorate: 15 or fewer units	205	17.1	3,506
Master's/Doctorate: More than 15 units	282	86.6	24,421
FFRDCs	43	3.7	159
Estimated total	869		30,086

The number of units in the subsequent survey cycle will include the institutions in the previous year plus an approximate 1 percent increase in institutions. The FFRDC postdoc data collection will take place in 2017 and 2019, and the estimated burden for those years will increase by 159 hours from 43 FFRDCs (based on 100 percent response rate in 2015 with the average burden of 3.7 hours per FFRDC) to a total of 30,086 and 30,738 hours, respectively (see Table 3). Estimates of the 2018 GSS burden are 30,262 hours. An additional 800 hours across three years are requested to conduct methodological testing.

TABLE 3—TOTAL BURDEN ESTIMATES FOR 2017–19 GSS

Survey cycle	Respondents (number of schools)	Total burden (hours)
2017 GSS	869	30,086
GSS Institutions	826	29,927
FFRDCs	43	159
2018 GSS	836	30,262
2019 GSS	888	30,738
GSS Institutions	845	30,579
FFRDCs	43	159
Future methodological testing (across all 3 years)		800
Total estimated burden	2,593	91,886
Estimated average annual burden	864	30,629

The total estimated respondent burden of the GSS, including 800 hours for the methodological studies, will be 91,886 hours over the 3-survey clearance period.

Dated: September 14, 2017.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2017–19889 Filed 9–18–17; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 030–28641; NRC–2017–0095]

Department of the Air Force; Robins Air Force Base, Georgia

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering an amendment to Materials License 42–23539–01AF, issued to the Department of the Air Force (licensee), Docket No. 030–28641, to approve a decommissioning plan (DP) for Building 181 at Robins Air Force Base (AFB), Georgia. If the DP is approved by the NRC, the licensee would be authorized to remediate residual depleted uranium (DU) from the building, prior to partial demolition of the building. As part of its review, the NRC conducted an assessment of the environmental impacts of the proposed decommissioning action. The NRC concluded that the proposed decommissioning project will have minimal impacts on the environment. This Notice provides details of the NRC's environmental assessment. Based in part on this assessment, the NRC plans to approve the proposed DP by amending the license.

DATES: Materials License 42–23539–01AF, Docket No. 030–28641, will be amended to approve the DP on or after September 19, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0095 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2017–0095. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public

Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document. In addition, for the convenience of the reader, the ADAMS accession numbers are provided in a table in the ''Availability of Documents'' section of this document.

• *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: Vivian Campbell, Region IV Office, U.S. Nuclear Regulatory Commission, 1600 E. Lamar Blvd., Arlington, TX 76011; telephone: 817–200–1455, email: *Vivian.Campbell@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of an amendment to Materials License 42–23539–01AF, issued to Department of the Air Force, approving the proposed DP for remediation of Building 181 at Robins AFB, Georgia (ADAMS Accession Nos. ML17094A481 and ML17167A420, respectively). If approved by the NRC, the licensee would be allowed to remediate residual DU from inside and underneath the building as necessary to meet the NRC's criteria for unrestricted use. Therefore, as required by part 51 of title 10 of the *Code of Federal Regulations* (CFR), the NRC performed an environmental assessment (EA) of the proposed decommissioning activity. Based on the results of the EA that follows, the NRC has determined not to prepare an environmental impact statement for the licensing action and is issuing a finding of no significant impact (FONSI).

II. Environmental Assessment

Description of the Proposed Action

The NRC's proposed action is to amend License 42–23539–01AF to approve the proposed DP, as revised. The licensee would then be authorized to conduct decommissioning work as specified in the NRC-approved DP. Concurrently with the approval of the proposed decommissioning work instructions, the NRC plans to approve the licensee's proposed site-specific radiological release criteria and final status survey plan.

If approved, the licensee's contractor will remediate residual radioactive contamination and lead-based paint from the interior of the building using instructions provided in the DP. After completion of decommissioning, the contractor will conduct a final status survey of the building surfaces in accordance with the instructions provided in the DP. The residual radioactive and hazardous waste material will be disposed at an authorized disposal site based on sample results of the removed material. During building demolition, the contractor will radiologically survey the soil underneath portions of the building to ensure that the soil is not contaminated with radioactive material. If contaminated, the soil will be removed for disposal.

After completion of building demolition, the contractor will conduct a final status survey of the land underneath the area where Cells 5 and 6 were previously located, to ensure that the soil does not contain contamination greater than the NRC-approved release criteria. The NRC staff plans to conduct routine inspections during decommissioning and the final status surveys. The NRC will also review and approve the licensee's final status survey results after completion of the decommissioning process. The NRC may elect to conduct an independent radiological confirmatory survey to confirm the licensee's final status survey results.

Need for the Proposed Action

The purpose of the proposed action is to reduce the residual radioactivity within Building 181 to levels that allow the release of the property for unrestricted use. If the licensee conducts site remediation in accordance with instructions provided in the DP, the licensee will be in compliance with the radiological criteria for license termination as specified in regulation 10 CFR part 20, subpart E. Approval of the DP would allow the NRC to fulfill its responsibilities under the Atomic Energy Act to ensure protection of public health and safety and the environment.

Environmental Impacts of the Proposed Action

The NRC staff considered the possible environmental impacts of the proposed action. The staff considered the impacts on the following environmental resources: (1) Land use; (2) transportation; (3) geology and soils; (4) water resources; (5) ecology; (6) meteorology, climatology, and air quality; (7) noise; (8) historical and cultural resources; (9) visual/scenic resources; (10) socioeconomic; (11) public and occupational health; and (12) waste management.

Building 181 is located within the boundary of Robins AFB. Other structures and paved roads are located around the property. An airfield and tarmac are located nearby. The property will remain under the control of the Air Force during and after decommissioning. Upon completion of decommissioning and NRC approval of the final status survey results, the licensee is expected to release the land and remainder of the building for unrestricted use. The land use is not expected to change significantly as a result of this decommissioning project.

The transportation resource will be impacted slightly during demolition of the building. Additional vehicles will be needed to demolish the building and to remove the demolished debris. This increase in transportation resources will only exist as long as building demolition is in progress. After completion of demolition, the transportation resource should return to normal. A few additional trucks will be needed for shipment of the radiologically contaminated material to a disposal site. The number of additional trucks is expected to be small, based on the low volume of material required to be disposed.

The local geology and soils are not expected to be impacted by building demolition. The local soils were already impacted by the construction of the building and surrounding infrastructure. Although unlikely, if the licensee discovers contaminated soil underneath the building, the soil with contamination above the NRC-approved cleanup criteria will have to be excavated and packaged for shipment. Clean backfill may be needed to fill any soil removed during decommissioning. The area of the demolition project is small when compared to the overall size of the military base.

The water resources are not expected to be impacted by building demolition. Based on the depth of the unsaturated zone (25 feet/7.6 meter) and the thickness of the floor (5–6 feet/1.5–1.8 meters), the licensee concluded that it was unlikely that DU contamination within Building 181 has migrated into the groundwater. As noted in the DP, the contractor will try to prevent potentially contaminated water from exiting the building. The contractor will plug building drains during decommissioning work. If the buildup of water occurs in the building, the contractor will install containments at exit points, such as doorways, to prevent releases of potentially contaminated water from leaving the building.

The demolition of the building is not expected to have an impact on local ecology. No critical or endangered species or habitats are expected to be impacted, since the building is surrounded by other buildings and pavement.

The demolition of the building may have short-term impacts on air quality. These potential impacts include possible release of airborne radioactive particulates during decommissioning, airborne dust during demolition, and vehicle exhaust. To protect against releases of potentially radioactive airborne effluents, the licensee's contractor plans to collect outdoor air samples during decommissioning work. If the airborne particulate action level is exceeded, the building doors will be shut to minimize airborne effluents. With regards to the potential for airborne dust during building demolition, the demolition contractor is expected to take typical industrial precautions to minimize airborne dust including use of water suppression or discontinuing work during windy conditions. Finally, the work will result in a short term increase of vehicle exhaust during building demolition work. The percent increase in vehicle exhaust is expected to be small compared to the relative size of the Air Force base.

Noise will increase during building demolition work. The increase in noise is expected to be limited to daytime hours and will last only for the duration of the work.

No historical, cultural, visual, or scenic resources are expected to be impacted. Any cultural or historical resource would have been impacted during the construction of the building. The demolition of the building is not expected to impact any resources beyond the area already impacted by current development. The decommissioning and demolition of the building will not impact scenic or visual resources. The building is not considered historically significant, otherwise, the Air Force would not be demolishing it.

The decommissioning and demolition of the building will not impact any social groups, and the economic impacts of the work activities are expected to be minimal. The Air Force has not stated what it plans to do with the area once the building has been partially demolished, but the land use will most likely be similar to what is already in place. The Air Force does not plan to relinquish control of the area after building demolition, and the footprint of the building will continue to remain within the boundary of Robins AFB.

The decommissioning contractor will provide measures to control public and occupational health during work. For example, the decommissioning contractor will monitoring workers for exposure to airborne radioactivity. The demolition contractor is expected to implement typical industrial safety controls such as issuance of safety equipment to workers, control of work area boundaries, and suppression of dust. As part of its review, the NRC considered the impacts of residual radioactivity that may remain within building rubble or subsurface soil. The licensee proposed cleanup criteria that is protective of human health and safety. The licensee's contractor is expected to remove the residual radioactive contamination to levels that are at or below the cleanup criteria, an action that is protective of public health and safety. Details about the NRC's analysis of the cleanup criteria are provided in a separate Safety Evaluation Report (ADAMS Accession No. ML17193A222).

Finally, the decommissioning contractor established procedures for disposal of waste material. The DP indicates that the contractor plans to sample the waste material, to identify the levels of radiological and hazardous materials present. As noted earlier, the contractor will also remove lead-based paint as part of the work project. The concentrations of radioactive and hazardous wastes in the material will dictate how the material will be packaged and transported, and the concentrations will be used to identify the disposal sites that can accept this material for disposal. The demolition contractor is expected to sample the rubble to ensure that the material meets the standards for the chosen waste landfill. Liquid wastes are not expected to be created.

In summary, the proposed decommissioning and building demolition are not expected to have significant, long-term impacts on environmental resources. Additional details about the NRC's environmental review are provided in an expanded EA (ADAMS Accession No. ML17207A232).

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (*i.e.,* the ''no-action'' alternative). The no-action alternative assumes that the status quo is maintained. With respect to the Building 181 project, the no-action alternative means that the licensee would not be allowed to conduct decommissioning work, and the contaminated building surfaces will continue to remain onsite at Robins AFB.

The no-action alternative is not acceptable because it violates the NRC's Timeliness Rule regulations specified in 10 CFR 30.36. The Timeliness Rule requires licensees to decommission their facilities in a timely manner when licensed activities have permanently ceased. In addition, the radioactive contamination at Building 181 currently exceeds the radiological criteria for license termination as specified in 10 CFR part 20, subpart E. Approval of the no-action alternative will prevent the licensee from conducting decommissioning work as necessary to release the site for unrestricted use under Subpart E requirements. Accordingly, the NRC staff eliminated the no-action alternative from consideration.

Agencies and Persons Consulted

The NRC staff consulted with the Georgia Department of Natural Resources, Radioactive Materials Program, regarding the EA of the proposed action (ADAMS Accession No. ML17193A244). The State's comments are discussed below.

The NRC staff determined that the proposed action will not affect endangered species or critical habitats, because the project is located within an area that was fully developed. Therefore, no further consultations were deemed necessary under Section 7 of the Endangered Species Act. Likewise, the NRC staff determined that the proposed action is not the type of activity that has the potential to impact historic properties, in part, because the building has not been designated as a historic property by the Air Force. Therefore, no further consultation was determined to be necessary under Section 106 of the National Historic Preservation Act.

Discussion of Comments

By email dated August 14, 2017 (ADAMS Accession No. ML17227A184), the State of Georgia suggested that once demolition is complete and soil contamination surveys are accomplished, if these surveys reveal any soil contamination, a groundwater survey should be conducted. In the past, the State has seen instances of groundwater contamination, for example, around a contaminated vault that had to be remediated. While there is no evidence of soil contamination beneath Building 181, the State believes that sampling of the groundwater is prudent if the soil is contaminated. The NRC staff informed the licensee of the

State's comments, and the NRC plans to review the results of the licensee's soil contamination survey.

III. Finding of No Significant Impact

The NRC staff have concluded that the proposed decommissioning project at Robins AFB, Georgia, will have minimal impacts on the environment. The NRC staff considered the impacts on land use, transportation, geology and soils, water resources, ecology, air quality, noise, historical and cultural resources, visual and scenic resources, socioeconomic resources, public and occupational health, and waste management. The staff also determined that the affected environment and the environmental impacts associated with the decommissioning of Building 181 are bounded by the impacts evaluated by NUREG–1496, Volume 1, ''Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities'' (ADAMS Accession No. ML042310492).

The staff finds that the proposed decommissioning complies with 10 CFR 20.1402, which provides the radiological criteria for unrestricted use. Further, the licensee will perform the remediation work under an NRC license, using an NRC-approved decommissioning plan, which will help ensure that the licensee and its contractor will establish and implement programs to protect workers, the public, and the environment. Further, the NRC plans to conduct inspections during work activities. Past NRC experiences with decommissioning activities at similar sites suggest that public and worker exposures to radioactivity will be far below the limits specified in 10 CFR part 20.

The NRC staff have prepared this EA in support of the proposed action to amend NRC Materials License 42–23539–01AF to approve the licensee's proposed DP for Building 181 at Robins AFB. On the basis of this EA, the NRC has concluded that there are no significant environmental impacts and the license amendment does not warrant the preparation of an environmental impact statement. Accordingly, it has been determined that a FONSI is appropriate.

IV. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	ADAMS Accession No.
U.S. Department of the Air Force, ''Updated Decommissioning Plan dated February 2017 for Building 181 at Robins Air Force Base, Georgia,'' March 21, 2017.	ML17094A481
U.S. Department of the Air Force, ''Building 181 Robins Air Force Base Decommissioning Plan,'' June 13, 2017	ML17167A420
U.S. Nuclear Regulatory Commission, ''Robins AFB Consultation Letter with State of Georgia,'' July 24, 2017	ML17193A244
U.S. Nuclear Regulatory Commission, ''Memo to File—Building 181 Robins AFB Georgia Environmental Assessment,'' September 19, 2017.	ML17207A232
U.S. Nuclear Regulatory Commission, ''Memo to File—Building 181, Robins AFB Georgia Safety Evaluation Report,'' September 19, 2017.	ML17193A222
State of Georgia, ''State of Georgia's Review and Comments on Proposed EA and SER for Robins AFB, Georgia,'' August 14, 2017.	ML17227A184
U.S. Nuclear Regulatory Commission, NUREG–1496, Volume 1, Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities, Main Report, July 31, 1997.	ML042310492

Dated at Arlington, Texas, this 31st day of August 2017.

For the Nuclear Regulatory Commission.

Mark R. Shaffer,

Director, Division of Nuclear Materials Safety, Region IV Office.

[FR Doc. 2017–19799 Filed 9–18–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0107]

Information Collection: Fitness-for-Duty Programs

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, ''Fitness-for-Duty Programs.''

DATES: Submit comments by October 19, 2017.

ADDRESSES: Submit comments directly to the OMB reviewer at: Aaron Szabo, Desk Officer, Office of Information and Regulatory Affairs (3150–0146), NEOB–10202, Office of Management and Budget, Washington, DC 20503; telephone: 202–395–3621, email: *oira_submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *INFOCOLLECTS.Resource@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2017–0107 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2017–0107. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2017–0107 on this Web site.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The supporting statement and NRC Forms 890, 891, and 892 are available in ADAMS under Accession Nos. ML17236A379, ML17013A578, ML17013A598, and ML17024A436, respectively.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One

White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

• *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *INFOCOLLECTS.Resource@nrc.gov.*

B. Submitting Comments

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at *http://www.regulations.gov* as well as entering the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, ''Fitness-for-Duty Programs.'' The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** (FR) notice with a 60-day comment period on this information collection on June 1, 2017, 82 FR 25345.

1. *The title of the information collection:* 10 CFR part 26, ''Fitness-for-Duty Programs.''

2. *OMB approval number:* 3150–0146.

3. *Type of submission:* Extension.

4. *The form number if applicable:* NRC Form 890, ''Single Positive Test Form,'' NRC Form 891, ''Annual Reporting Form for Drug and Alcohol Tests,'' and NRC Form 892, ''Annual Fatigue Reporting Form.''

5. *How often the collection is required or requested:* Annually and on occasion. The NRC receives reports on an annual basis that detail fitness-for-duty (FFD) program performance. The NRC also receives, on occasion, reports associated with FFD policy violations or programmatic failures. Depending on the type of violation or programmatic failure, the report would be made within 24 hours of the event occurrence, or within 30 days of completing an investigation into the programmatic failure.

6. *Who will be required or asked to respond:* Nuclear power reactor licensees licensed under parts 50 and 52 of title 10 of the *Code of Federal Regulations* (10 CFR) (except those who have permanently ceased operations and have verified that fuel has been permanently removed from the reactor); all holders of nuclear power plant construction permits and early site permits with a limited work authorization and applicants for nuclear power plant construction permits that have a limited work authorization under the provisions of 10 CFR part 50; all holders of a combined license for a nuclear power plant issued under 10 CFR part 52 and applicants for a combined license that have a limited work authorization; all licensees who are authorized to possess, use, or transport formula quantities of strategic special nuclear material (SSNM) under the provisions of 10 CFR part 70; all holders of a certificate of compliance of an approved compliance plan issued under 10 CFR part 76, if the holder engages in activities involving formula quantities of SSNM; and all contractor/vendors (C/Vs) who implement FFD programs or program elements to the extent that the licensees and other entities listed in this paragraph rely on those C/V FFD programs or program elements to comply with 10 CFR part 26.

7. *The estimated number of annual responses:* 441,833 responses (215 reporting responses + 49 recordkeepers + 441,569 third-party disclosure responses).

8. *The estimated number of annual respondents:* 88,229 respondents (28 drug and alcohol testing programs + 21 fatigue management programs + 88,180 third-party disclosure respondents).

9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request:* 719,195.9 hours (6,168.0 hours reporting + 220,998.5 hours recordkeeping + 492,029.4 hours third-party disclosure).

10. *Abstract:* The NRC's regulations in 10 CFR part 26 prescribe requirements to establish, implement, and maintain FFD programs at affected licensees and other entities. The objectives of these requirements are to provide reasonable assurance that persons subject to the rule are trustworthy, reliable, and not under the influence of any substance, legal or illegal, or mentally or physically impaired from any cause, which in any way could adversely affect their ability to safely and competently perform their duties. These requirements also provide reasonable assurance that the effects of fatigue and degraded alertness on individuals' abilities to safely and competently perform their duties are managed commensurate with maintaining public health and safety. The information collections required by 10 CFR part 26 are necessary to properly manage FFD programs and to enable effective and efficient regulatory oversight of affected licensees and other entities. These licensees and other entities must perform certain tasks, maintain records, and submit reports to comply with 10 CFR part 26 drug and alcohol and fatigue management requirements. These records and reports are necessary to enable regulatory inspection and evaluation of a licensee's or other entity's compliance with NRC regulations, FFD performance, and significant FFD-related events to help maintain public health and safety, promote the common defense and security, and protect the environment.

Dated at Rockville, Maryland, this 14th day of September, 2017.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2017–19929 Filed 9–18–17; 8:45 am]

BILLING CODE 7590–01–P

PENSION BENEFIT GUARANTY CORPORATION

Proposed Submission of Information Collection for OMB Review; Comment Request; Annual Reporting (Form 5500 Series)

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of intent to request extension of OMB approval, with modifications.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) intends to request that the Office of Management and Budget (OMB) extend approval (with modifications), under the Paperwork Reduction Act of 1995, of its collection of information for Annual Reporting under OMB control number 1212–0057,

which expires on August 31, 2020. This notice informs the public of PBGC's intent and solicits public comment on the collection of information.

DATES: Comments must be submitted by November 20, 2017.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the Web site instructions for submitting comments.
- *Email: paperwork.comments@pbgc.gov.*
- *Mail or Hand Delivery:* Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026.

PBGC will make all comments available on its Web site at *http://www.pbgc.gov.*

Copies of the collection of information and comments may be obtained without charge by writing to the Disclosure Division of the Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026, or by calling 202–326–4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4040.)

FOR FURTHER INFORMATION CONTACT: Jo Amato Burns (*burns.jo.amato@pbgc.gov*), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026, 202–326–4400, extension 3072. (TTY and TDD users may call the Federal relay service toll-free at 800–877–8339 and ask to be connected to 202–326–4400, extension 3072.)

SUPPLEMENTARY INFORMATION: Annual reporting to the Internal Revenue Service (IRS), the Employee Benefits Security Administration (EBSA), and the Pension Benefit Guaranty Corporation (PBGC) is required by law for most employee benefit plans. For example, section 4065 of the Employee Retirement Income Security Act of 1974 requires annual reporting to PBGC for pension plans covered by title IV of ERISA. To accommodate these filing requirements, PBGC, IRS, and EBSA have jointly promulgated the Form 5500 Series, which includes the Form 5500 Annual Return/Report of Employee Benefit Plan and the Form 5500–SF Short Form Annual Return/Report of Small Employee Benefit Plan.

The collection of information has been approved by OMB under control number 1212–0057 through August 31, 2020. PBGC intends to request that OMB extend its approval, with modifications, for three years. 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.

PBGC is proposing two modifications to the 2017 Schedule MB (Multiemployer Defined Benefit Plan Actuarial Information) instructions and one modification to the Schedule SB (Single Employer Defined Benefit Plan Actuarial Information) instructions. These modifications affect multiemployer defined benefit plans and single-employer defined benefit plans covered by Title IV of ERISA.

With regard to the Schedule MB instructions, PBGC is proposing to change the instructions to require new attachments in two situations as explained below:

- If any of the contributions reported in Line 3 (Contributions Made to Plan) include amounts owed for withdrawal liability, PBGC is proposing to require plan administrators to report for each reported contribution (on an attachment to Line 3), the aggregate amount of withdrawal liability payments included in such contribution. This will enable PBGC to allocate the reported contributions between regular contributions and withdrawal liability payments and is consistent with intent of Line 3 to provide contribution information for projection purposes.

Ongoing contributions are expected annually from ongoing employers. Withdrawal liability payments are contributions paid by employers who have withdrawn from the plan and thus, at some point, will stop contributing. Separating withdrawal payments from contributions will assist in projections of future ongoing contributions and also will provide information regarding withdrawing employers.

- For multiemployer plans in Critical or Critical and Declining status (*i.e.,* where Code C (Critical Status) or Code D (Critical and Declining Status) is entered on Line 4b), the current Schedule MB instructions require that plans report the year a troubled multiemployer plan is projected to become insolvent or emerge from troubled status on Line 4f. However, there is no requirement to provide supporting documentation for these projections. PBGC is proposing that basic supporting documentation be included as an attachment to Line 4f. Such plans would be required to report in the attachment:
  - Year-by-year cash flow projections for the period ending with whichever is applicable: The year the plan is projected to emerge from Critical or Critical and Declining Status or the year the plan is projected to become insolvent, and
  - A summary of the assumptions underlying these projections.

PBGC is proposing the addition of this information to enable PBGC to better project the impact on participants and PBGC's insurance system.

With regard to the Schedule SB instructions, PBGC is proposing to change the instructions related to an attachment that is currently required of plans for which the IRS has granted permission to use a substitute mortality table. The current instructions for Schedule SB, item 23, describe the information that is to be included in the attachment. Those instructions reflect the current IRS regulation on the use of substitute mortality tables, 26 CFR 1.430(h)(3)–2. The proposed changes to the Schedule SB are based on amendments to the IRS mortality table regulations that are proposed to become effective on 1/1/2018. If the regulations are not effective on 1/1/2018, then the proposed changes to the Schedule SB will be deleted from the final Form 5500 instructions. PBGC is proposing to require plans to report additional information (consistent with the amended regulation) as part of the item 23 attachment. The addition of information will allow PBGC to reconstruct the substitute table for which the plan has sought IRS approval. This will enable PBGC to better predict future funding requirements and the impact on participants and the insurance system.

It is anticipated that the information requested by the proposed changes described above will be available to the plan and will merely require that the plan insert information it already has into the attachments described.

PBGC estimates that it will receive approximately 23,700 Form 5500 and Form 5500–SF filings per year under this collection of information. PBGC further estimates that the total annual burden of this collection of information will be 1,300 hours and $1,613,000.

PBGC is soliciting public comments to—

- 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 methodologies 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.

Issued in Washington, DC.

Daniel Liebman,

Acting Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.

[FR Doc. 2017–19884 Filed 9–18–17; 8:45 am]

BILLING CODE 7709–02–P

POSTAL SERVICE

Product Change—Priority Mail Express and Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of notice required under 39 U.S.C. 3642(d)(1):* September 19, 2017.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on September 13, 2017, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Express & Priority Mail Contract 51 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–202, CP2017–305.

Elizabeth A. Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2017–19851 Filed 9–18–17; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of notice required under 39 U.S.C. 3642(d)(1):* September 19, 2017.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on September 13, 2017, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 357 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–200, CP2017–303.

Elizabeth A. Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2017–19849 Filed 9–18–17; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of notice required under 39 U.S.C. 3642(d)(1):* September 19, 2017.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on September 13, 2017, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail & First-Class Package Service Contract 57 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–201, CP2017–304.

Elizabeth A. Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2017–19850 Filed 9–18–17; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of notice required under 39 U.S.C. 3642(d)(1):* September 19, 2017.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on September 13, 2017, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 356 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–199, CP2017–302.

Elizabeth A. Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2017–19848 Filed 9–18–17; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81605; File No. SR–ISE–2017–81]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Its Schedule of Fees To Increase the Priority Customer Taker Fee for Regular Orders in SPY

September 13, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 1, 2017, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II, below, which Items have been prepared by 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 Substance of the Proposed Rule Change

The Exchange proposes to amend its Schedule of Fees to increase the Priority Customer taker fee for regular orders in SPY, as discussed further below.

The text of the proposed rule change is available on the Exchange's Web site at *www.ise.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the 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 amend the Schedule of Fees to increase the Priority Customer [3] taker fee for regular orders in SPY, which is the most actively traded name on the Exchange.

Currently, the Exchange charges a taker fee for regular orders in Select Symbols [4] that is $0.44 per contract for Market Maker [5] orders, $0.45 per contract for Non-Nasdaq ISE Market Maker,[6] Firm Proprietary,[7] Broker-Dealer,[8] and Professional Customer [9] orders, and $0.44 per contract for Priority Customer orders. In addition, the Exchange charges a reduced Priority Customer taker fee that is $0.30 per contract for regular orders in SPY, and $0.35 per contract for regular orders in QQQ, IWM and VXX.

The Exchange now proposes to increase the Priority Customer taker fee for regular orders in SPY from $0.30 per contract to $0.34 per contract. This taker fee will remain unchanged for Select Symbols other than SPY.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[10] in general, and Section 6(b)(4) of the Act,[11] in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities.

The Exchange believes that it is reasonable and equitable to increase the Priority Customer taker fee for regular orders in SPY because the proposed fee remains lower than both the Priority Customer taker fees that the Exchange currently charges for other Select Symbols, including QQQ, IWM and VXX, and the fees charged to other market participants that remove liquidity on the Exchange. As such, the Exchange believes that the proposed pricing for SPY, which is the most actively traded name on ISE, will continue to attract Priority Customer order flow in SPY to the benefit of all members that trade on the Exchange. The Exchange further notes that the proposed Priority Customer taker fee for SPY is still lower than the rate charged by one of the Exchange's competitors.[12]

In addition, the Exchange believes that it is equitable and not unfairly discriminatory to only offer the proposed taker fee to Priority Customer orders. A Priority Customer is by definition not a broker or dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). This limitation does not apply to participants on the Exchange whose behavior is substantially similar to that of market professionals, including Professional Customers, who will generally submit a higher number of orders than Priority Customers.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[13] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed fee remains competitive with those on other options markets, and will continue to attract order flow to the Exchange. The Exchange operates in a highly competitive market in which market participants can readily direct their order flow to competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and rebates to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed fee changes reflect this competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,[14] and Rule 19b–4(f)(2) [15] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule

[3] A ''Priority Customer'' is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq ISE Rule 100(a)(37A).

[4] ''Select Symbols'' are options overlying all symbols listed on the Nasdaq ISE that are in the Penny Pilot Program.

[5] The term ''Market Makers'' refers to ''Competitive Market Makers'' and ''Primary Market Makers'' collectively. See ISE Rule 100(a)(25).

[6] A ''Non-Nasdaq ISE Market Maker'' is a market maker as defined in Section 3(a)(38) of the Securities Exchange Act of 1934, as amended, registered in the same options class on another options exchange.

[7] A ''Firm Proprietary'' order is an order submitted by a member for its own proprietary account.

[8] A ''Broker-Dealer'' order is an order submitted by a member for a broker-dealer account that is not its own proprietary account.

[9] A ''Professional Customer'' is a person or entity that is not a broker/dealer and is not a Priority Customer.

[10] 15 U.S.C. 78f.

[11] 15 U.S.C. 78f(b)(4).

[12] *See* MIAX Pearl Fee Schedule, Section 1(a) at: *https://www.miaxoptions.com/sites/default/files/fee_schedule-files/MIAX_PEARL_Fee_Schedule_06302017.pdf.*

[13] 15 U.S.C. 78f(b)(8).

[14] 15 U.S.C. 78s(b)(3)(A)(ii).

[15] 17 CFR 240.19b–4(f)(2).

change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ISE–2017–81 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number *SR–ISE–2017–81.* This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ISE–2017–81 and should be submitted on or before October 10, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2017–19845 Filed 9–18–17; 8:45 am]

BILLING CODE 8011–01–P

[16] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81596; File No. SR–BatsEDGX–2017–37]

Self-Regulatory Organizations; Bats EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 11.11, Routing to Away Trade Centers, To Account for IEX as a Primary Listing Market and To Amend Certain Rules To Reflect the Name Change of NYSE MKT to NYSE American

September 13, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 6, 2017, Bats EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6)(iii) thereunder,[4] which renders it effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange filed a proposal to amend paragraphs (g)(8) and (g)(14) of Rule 11.11, Routing to Away Trade Centers, to expand the ability of Users[5] to designate their orders for participation in the opening, re-opening (following a halt, suspension, or pause), or closing process of a primary listing market other than the Exchange (NYSE, Nasdaq, NYSE MKT, or NYSE Arca) to include the Investors Exchange LLC (''IEX''). The Exchange also proposes to amend paragraphs (g)(8) and (g)(14) of Rule 11.11 as well as Rules 11.7(c)(1) and 13.4(a) to reflect the name change of NYSE MKT to NYSE American.

The text of the proposed rule change is available at the Exchange's Web site at *www.bats.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6)(iii).

[5] The term ''User'' is defined as ''any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3.'' *See* Exchange Rule 1.5(ee).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Exchange Rule 11.11(g)(8) describes the ROOC routing option, under which Users may designate their orders for participation in the opening or closing process, in addition to the re-opening (following a halt, suspension, or pause), of a primary listing market other than the Exchange, if received before the opening/re-opening/closing time of such market.[6] Under Exchange Rule 11.11(g)(8), Users may also elect that their orders be routed to participate in the primary market's re-opening process, and not its opening or closing processes. Any remaining shares are either posted to the EDGX Book,[7] executed, or routed to destinations on the System routing table.[8]

IEX announced that it intends to become a primary listing exchange and support IEX-listed companies beginning in October 2017.[9] At that time, the Exchange will enable Users to elect that their orders in IEX-listed securities be routed to IEX to participate in IEX's opening, re-opening (following a halt, suspension, or pause), or closing

[6] *See* Exchange Rule 11.11(g)(8).

[7] The term ''EDGX Book'' is defined as ''the System's electronic file of orders.'' *See* Exchange Rule 1.5(d).

[8] The term ''System routing table'' refers to the proprietary process for determining the specific options exchanges to which the System routes orders and the order in which it routes them. *See* Exchange Rule 11.11(g).

[9] *See* IEX Trading Alert #2017–05, Listing Specifications, Testing Opportunities, and Timelines, *available at https://iextrading.com/trading/alerts/2017/015/. See also* Securities Exchange Act Release No. 81316 (August 4, 2017), 82 FR 37474 (August 10, 2017) (SR–IEX–2017–10) (Order approving proposed rule change related in auctions in IEX-listed securities, dissemination of auction-related data, and provisions governing trading halts and pauses).

process. Therefore, the Exchange proposes to amend paragraphs (g)(8) and (g)(14) of Rule 11.11 to include IEX as a primary listing market to which Users may designate their orders be routed.

The Exchange also proposes non-substantive amendments to paragraphs (g)(8) and (g)(14) of Rule 11.11 as well as Rules 11.7(c)(1) and 13.4(a)to reflect the name change of NYSE MKT to NYSE American [10] as well as to reflect the name change of BATS Exchange, Inc. to Bats BZX Exchange, Inc. as proposed in a previous filing.[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 foster cooperation and coordination with persons engaged in 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. As discussed above, IEX announced that it intends to become a primary listing exchange and support IEX-listed companies beginning in October 2017.[14] Certain Users whose orders in IEX-listed securities are resting on the EDGX Book may wish that their order only be routed to participate in IEX's opening, closing, or re-opening process. The proposed rule changes promote just and equitable principles of trade because they would provide such Users with additional flexibility with regard to their orders in IEX-listed securities.

The non-substantive amendments to paragraphs (g)(8) and (g)(14) of Rule 11.11 as well as Rules 11.7(c)(1) and 13.4(a) to reflect the name change of NYSE MKT to NYSE American and BATS Exchange, Inc. to Bats BZX Exchange, Inc. also removes impediments to and perfect the mechanism of a free and open market and a national market system because it updates the rule to reflect the name change and does not alter the way in which orders in NYSE American listed securities are handled and routed.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposal will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that its proposal would increase competition because it offers Users an alternative means to route orders to participate in IEX's opening, closing, and re-opening following a halt, suspension, or pause as if they entered orders on that market directly.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (A) Significantly affect the protection of investors or the public interest; (B) impose any significant burden on competition; and (C) by its terms, 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) of the Act [15] and paragraph (f)(6) of Rule 19b–4 thereunder,[16] the Exchange has designated this rule filing as non-controversial. The Exchange has given the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (1) Necessary or appropriate in the public interest; (2) for the protection of investors; or (3) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposal is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File No. SR–BatsEDGX–2017–37 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File No. SR–BatsEDGX–2017–37. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR–BatsEDGX–2017–37 and should be submitted on or before October 10, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19805 Filed 9–18–17; 8:45 am]

BILLING CODE 8011–01–P

[10] *See* Securities Exchange Act Release No. 80283 (March 21, 2017), 82 FR 15244 (March 27, 2017) (SR–NYSEMKT–2017–14).

[11] *See* Securities Exchange Act Release No. 77307 (March 7, 2016), 81 FR 12996 (February 26, 2016) (SR–BATS–2016–25).

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] *See supra* note 9.

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 17 CFR 240.19b–4.

[17] 17 CFR 200.30–3(a)(12).

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2017–0052]

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions and extensions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202–395–6974, Email address: *OIRA_Submission@omb.eop.gov.*

(SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410–966–2830, Email address: *OR.Reports.Clearance@ssa.gov.* Or you may submit your comments online through *www.regulations.gov,* referencing Docket ID Number [SSA–2017–0052].

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than November 20, 2017. Individuals can obtain copies of the collection instruments by writing to the above email address.

1. Letter to Employer Requesting Information About Wages Earned By Beneficiary—20 CFR 404.1520, 20 CFR 404.1571–404.1576, 20 CFR 404.1584–404.1593, and 20 CFR 416.971–416.976—0960–0034. Social Security disability recipients receive payments based on their inability to engage in substantial gainful activity (SGA) because of a physical or mental condition. If the recipients work, SSA must evaluate and determine if they continue to meet the disability requirements of the law. Therefore, we use Form SSA–L725 to request monthly earnings information from the recipient's employer. We then use the earnings data to determine whether the recipient is engaging in SGA, since work after a recipient becomes entitled to benefits can cause a cessation of disability. The respondents are businesses that employ Social Security disability recipients.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–L725	150,000	1	40	100,000

2. Certification of Low Birth Weight for SSI Eligibility of Funds You Provided to Another and Statement of Funds You Received—20 CFR 416.931, 416.926a(m), and 416.924—0960–0720. Hospitals and claimants use Form SSA–3380 to provide medical information to local field offices (FO) and the Disability Determination Services (DDS) on behalf of infants with low birth weight. FOs use the form as a protective filing statement, and the medical evidence respondents provide on the form to make presumptive disability findings, which allow expedited payment to eligible claimants. DDSs use the medical information to determine disability and continuing disability. The respondents are hospitals and claimants who have information identifying low birth weight babies and their medical conditions.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–3380	28,125	1	15	7,031

II. SSA submitted the information collections below to OMB for clearance. Your comments regarding these information collections would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than October 19, 2017. Individuals can obtain copies of the OMB clearance packages by writing to *OR.Reports.Clearance@ssa.gov.*

1. Statement of Marital Relationship (By one of the parties)—20 CFR 404.726—0960–0038. SSA must obtain a signed statement from a spousal applicant if the applicant claims a common-law marriage to the insured in a state in which such marriages are recognized, and no formal marriage documentation exists. SSA uses information we collect on Form SSA–754–F4 to determine if an individual applying for spousal benefits meets the criteria of common-law marriage under state law. The respondents are applicants for spouse's Social Security benefits or Supplemental Security Income (SSI) payments.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–754–F4	30,000	1	30	15,000

2. Workers' Compensation/Public Disability Questionnaire—20 CFR 404.408—0960–0247. Section 224 of the Social Security Act (Act) provides for the reduction of disability insurance benefits (DIB) when the combination of DIB and any workers' compensation (WC) or certain Federal, State, or local public disability benefits (PDB) exceeds 80 percent of the worker's pre-disability earnings. SSA field office staff conduct face-to-face interviews with applicants using the electronic SSA–546 WC/PDB screens in the Modernized Claims System (MCS) to determine if the worker's receipt of WC or PDB payments will cause a reduction of DIB. Respondents are Title Title II disability applicants who receive both disability insurance benefits and worker's compensation.

Type of Request: Extension of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–546 MCS Screens	248,000	1	15	62,000

3. Medicaid Use Report—20 CFR 416.268—0960–0267. Section 20 CFR 416.268 of the Code of Federal Regulations requires SSA to determine eligibility for: (1) Special SSI cash payments and, (2) special SSI eligibility status for a person who works despite a disabling condition. Section 20 CFR 416.268 also provides that, to qualify for special SSI eligibility status, an individual must establish that termination of eligibility for benefits under Title XIX of the Act would seriously inhibit the ability to continue employment. SSA employees collect the information this regulation requires from respondents during a personal interview. We then use this information to determine if an individual is entitled to special Title XVI SSI payments and, consequently, to Medicaid. The respondents are SSI recipients for whom SSA has stopped payments based on earnings.

Type of Request: Extension of an OMB-approved information collection.

Regulation section	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
20 CFR 416.268	60,000	1	3	3,000

4. Public Information Campaign—0960–0544. Periodically, SSA sends various public information materials, including public service announcements; news releases; and educational tapes, to public broadcasting systems so they can inform the public about various programs and activities SSA conducts. SSA frequently sends follow-up business reply cards for these public information materials to obtain suggestions for improving them. The respondents are broadcast sources.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Number of respondents	Average burden per response (minutes)	Estimated total annual burden (hours)
Radio	5,000	2	10,000	1	167

5. Help America Vote Act—0960–0706. House Rule 3295, the Help America Vote Act of 2002, mandates that States verify the identities of newly registered voters. When newly registered voters do not have driver's licenses or State-issued ID cards, they must supply the last four digits of their Social Security number to their local State election agencies for verification. The election agencies forward this information to their State Motor Vehicle Administration (MVA), and the State MVA inputs the data into the American Association of MVAs, a central consolidation system that routes the voter data to SSA's Help America Vote Verification (HAVV) system. Once SSA's HAVV system confirms the identity of the voter, the information returns along the same route in reverse until it reaches the State election agency. The respondents are the State MVAs seeking to confirm voter identities.

Correction Notice: SSA is updating the burden information for this collection, so it differs from the information we published at 82 FR 31132, on 7/5/17. We are also including the cost burden, which we inadvertently did not publish in the previous Notice.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Number of responses	Average burden per response (minutes)	Estimated total annual burden (hours)
HAVV	48	102,877	4,938,096	2	164,603

Cost Burden: The 48 State MVAs participating in HAVA each pay an annual maintenance cost. Additionally, States pay .02 cents per verification request. Therefore, the total cost to respondents is $291,348.

6. Medicare Subsidy Quality Review Forms—20 CFR 418(b)(5)—0960–0707. The Medicare Modernization Act of 2003 mandated the creation of the Medicare Part D prescription drug coverage program and provides certain subsidies for eligible Medicare beneficiaries to help pay for the cost of prescription drugs. As part of its stewardship duties of the Medicare Part D subsidy program, SSA must conduct periodic quality review checks of the information Medicare beneficiaries report on their subsidy applications (SSA–1020, OMB No. 0960–0696). SSA uses the Medicare Quality Review program to conduct these checks. The respondents are applicants for the Medicare Part D subsidy whom SSA chose to undergo a quality review.

Type of Request: Revision of an OMB-approved information collection.

Form No. and name	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–9301 (Medicare Subsidy Quality Review Case Analysis Questionnaire)	3,500	1	30	1,750
SSA–9302 (Notice of Quality Review Acknowledgement Form for those with Phones)	3,500	1	15	875
SSA–9303 (Notice of Quality Review Acknowledgement Form for those without Phones)	350	1	15	88
SSA–9308 (Request for Information)	7,000	1	15	1,750
SSA–9310 (Request for Documents)	3,500	1	5	292
SSA–9311 (Notice of Appointment—Denial—Reviewer Will Call)	450	1	15	113
SSA–9312 (Notice of Appointment—Denial—Please Call Reviewer)	50	1	15	13
SSA–9313 (Notice of Quality Review Acknowledgement Form for those with Phones)	2,500	1	15	625
SSA–9314 (Notice of Quality Review Acknowledgement Form for those without Phones)	500	1	15	125
Totals	21,350			5,631

7. Electronic Records Express (Third Parties)—20 CFR 404.1700—404.1715—0960–0767. Electronic Records Express (ERE) is an online system which enables medical providers and various third party representatives to download and submit disability claimant information electronically to SSA as part of the disability application process. To ensure only authorized people access ERE, SSA requires third parties to complete a unique registration process if they wish to use this system. This information collection request (ICR) includes the third-party registration process; the burden for submitting evidence to SSA is part of other, various ICRs. The respondents are third party representatives of disability applicants or recipients who want to use ERE to electronically access clients' disability files online and submit information to SSA.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Number of responses	Average burden per response (minutes)	Estimated total annual burden (hours)
ERE—Third Parties	10,413	319	3,321,747	1	55,362

Dated: September 13, 2017.

Naomi R. Sipple,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 2017–19865 Filed 9–18–17; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice: 10127]

U.S. Department of State Advisory Committee on Private International Law (ACPIL): Public Meeting in Advance of Meeting of United Nations Commission on International Trade Law (UNCITRAL) Working Group I, Micro, Small, and Medium-Sized Enterprises

The Office of the Assistant Legal Adviser for Private International Law, Department of State, hereby gives notice that the Micro, Small, and Medium-Sized Enterprises (MSMEs) study group of the Advisory Committee on Private International Law (ACPIL) will hold a public meeting via teleconference to discuss the next session of the UNCITRAL Working Group I scheduled for October 16–20 in Vienna. This is not a meeting of the full Advisory Committee.

UNCITRAL has established a working group aimed at reducing the legal obstacles faced by MSMEs throughout their life cycle, and in particular those in developing countries. UNCITRAL further directed that the work should start with a focus on the legal issues surrounding the simplification of registration and incorporation. At its upcoming session, the UNCITRAL Working Group I will consider a draft legislative guide on key principles of business registration (UN Doc. A/CN.9/WG.I/WP.106) and an introductory paper prepared by the Secretariat entitled ''Reducing the legal obstacles faced by MSMEs'' (UN Doc. A/CN.9/WG.I/WP.107). The draft texts, along with the reports of earlier sessions of the Working Group will be available at *http://www.uncitral.org/uncitral/en/commission/working_groups/1MSME.html.*

Time and Place: The meeting of the ACPIL MSME Study Group will take place on Thursday October 12, from 10 a.m. to 12:00 p.m. EDT via teleconference.

Public Participation: Those planning to participate should email *pil@state.gov* to obtain the call-in number.

Michael J. Dennis,

Attorney-Adviser, Office of Private International Law, Office of the Legal Adviser, Department of State.

[FR Doc. 2017–19878 Filed 9–18–17; 8:45 am]

BILLING CODE 4710–08–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2017–73]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of the FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before October 10, 2017.

ADDRESSES: Send comments identified by docket number FAA–2017–0133 using any of the following methods:

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

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

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

FOR FURTHER INFORMATION CONTACT: Deana Stedman, ANM–113, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057–3356, email *deana.stedman@faa.gov,* phone (425) 227–2148; or Alphonso Pendergrass, ARM–200, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, email *alphonso.pendergrass@faa.gov,* phone (202) 267–4713.

This notice is published pursuant to 14 CFR 11.85.

Issued in Renton, Washington, on September 14, 2017.

Victor Wicklund,

Manager, Transport Standards Branch.

Petition for Exemption

Docket No.: FAA–2017–0133.

Petitioner: Erickson Aero Tanker, LLC.

Section of 14 CFR Affected: § 25.201(b)(1).

Description of Relief Sought: Erickson Aero Tanker is petitioning for reconsideration of the FAA's denial of exemption from the requirements of 14 CFR 25.201(b)(1) with respect to stall characteristics in the flaps 40/landing gear up configuration for its DC–9–87 (MD–87) airplanes. The petitioner submitted additional design information to support reconsideration. The exemption, if granted, would allow the airplanes to be used in aerial firefighting retardant drops.

[FR Doc. 2017–19921 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Twenty Second Meeting of the NextGen Advisory Committee (NAC)

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Twenty Second Meeting of the NextGen Advisory Committee (NAC).

SUMMARY: The FAA is issuing this notice to advise the public of the Twenty Second Meeting of the NextGen Advisory Committee. The NAC is a subcommittee to Federal advisory committee, RTCA.

DATES: The meeting will be held October 4, 2017, 9:00 a.m.–2:00 p.m.

ADDRESSES: The meeting will be held at: United Airlines Headquarters, The

Willis Tower 233 S. Wacker Drive, Metropolitan Club, 66th Floor, Oak Room, Chicago, Illinois 60606.

FOR FURTHER INFORMATION CONTACT: Andy Cebula, NAC Secretariat, (202) 330–0652, *acebula@rtca.org,* 1150 18 Street NW., Suite 910, Washington, DC 20036, or by fax at (202) 833–9434, or Web site at *http://www.rtca.org.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of the Twenty Second Meeting of the NextGen Advisory Committee (NAC). The agenda will include the following:

October 4, 2017 9:00 a.m.–2:00 p.m.

1. Opening of Meeting/Introduction of NAC Members—Chairman David Bronczek
2. Official Statement of Designated Federal Officer—Dan Elwell, FAA Deputy Administrator
3. Review and Approval of June 28, 2017 Meeting Summary and Revised Terms of Reference
4. Chairman's Report—Chairman Bronczek
5. FAA Report—FAA
6. Making Single European Sky ATM Research (SESAR) a Performing Operational Reality
7. Northeast Corridor Phase Two Tasking—Interim Report; Action Item: Consideration for Approval
8. Joint Analysis Team—Boston Optimized Profile Descent/DataComm Benefits Assessment—Final Report; Action Item: Consideration for Approval
9. Regional Airline Equipage
10. NextGen Priorities Status—NextGen Integration Working Group (NIWG): Performance Based Navigation (PBN), Data Communications, Surface Operations & Data Sharing, Multiple Runway Operations; Action Item: Consideration for Approval of 2017 NextGen Priorities Joint Implementation Plan
11. Equipage Status
12. Other business
13. Summary of Meeting and next steps
14. Closing Comments—DFO and NAC Chairman
15. Adjourn

Although the NAC meeting is open to the public, the meeting location has limited space and security protocols that require advanced registration. To attend: Please email *bteel@rtca.org* with name, company, and phone number contact to pre-register no later than September 25, 2017.

With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on September 14, 2017.

Mohannad Dawoud,

Management & Program Analyst, Partnership Contracts Branch, ANG–A17, NextGen, Procurement Services Division.

[FR Doc. 2017–19892 Filed 9–14–17; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA–2017–0037]

Qualification of Drivers; Exemption Applications; Diabetes Mellitus

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt 29 individuals from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with insulin-treated diabetes mellitus (ITDM) from operating a commercial motor vehicle (CMV) in interstate commerce. The exemptions enable these individuals with ITDM to operate CMVs in interstate commerce.

DATES: The exemptions were applicable on July 7, 2017. The exemptions expire on July 7, 2019.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., E.T., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: *http://www.regulations.gov.*

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* and/or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

II. Background

On June 6, 2017, FMCSA published a notice announcing receipt of applications from 29 individuals requesting an exemption from diabetes requirement in 49 CFR 391.41(b)(3) and requested comments from the public (82 FR 26226). The public comment period ended on July 6, 2017, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(3).

The physical qualification standard for drivers regarding diabetes found in 49 CFR 391.41(b)(3) states that a person is physically qualified to drive a CMV if that person:

> Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes standard in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

The Agency's decision regarding these exemption applications is based on the program eligibility criteria and an individualized assessment of information submitted by each applicant.

These 29 applicants have had ITDM over a range of 1 to 37 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring

the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the past five years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes related complications. Each meets the vision requirement at 49 CFR 391.41(b)(10).

The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the June 6, 2017, **Federal Register** notice (82 FR 26226) and will not be repeated in this notice.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes requirement in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and includes the following: (1) Each driver must submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) each driver must report within two business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) each driver must provide a copy of the ophthalmologist's or optometrist's report to the Medical Examiner at the time of the annual medical examination; and (4) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keeping a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VII. Conclusion

Based upon its evaluation of the 29 exemption applications, FMCSA exempts the following drivers from the diabetes requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above:

Tyler J. Bren (ND)
Charlie H. Brown, Jr. (GA)
Ajax A. Castro (FL)
Robert J. Conklin (PA)
Luke S. Davidson (CA)
Joseph R. DePra (IN)
Joseph P. Finan (RI)
Luis Garcia (NJ)
Eric E.T. Gheen (OH)
Aron A. Hanson (IL)
Tyler J. Hanson (ID)
Antonio K. Hoes (MD)
Ronald O. Knighten (WA)
Stephen P. Koons (PA)
Angel Luna (PA)
David Mills (NH)
Kenneth J. Moe (MN)
James L. Pearson (NY)
Walter R. Rentsch (SD)
Richard D. Revere (PA)
Redmond L. Riley (NC)
James H. Roth, Jr. (PA)
Stephen R. Shaffer (KS)
Matthew J. Thornton (OR)
Michael H. Trayah (VT)
William Wagstaff, 3rd (MD)
Craig A. Wildenberg (WI)
Ronald E. Wulf (MN)
Samuel K. Zeweldie (GA)

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for two years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315.

Issued on: September 13, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–19907 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2006–26367]

Medical Review Board (MRB) Meeting: Public Meeting

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Announcement of advisory committee public meeting.

SUMMARY: FMCSA announces a meeting of its Medical Review Board (MRB) on Tuesday and Wednesday, September 26–27, 2017. The MRB will make recommendations to the Agency on the revision of the Agency's handbook for medical examiners (ME) who are on the National Registry of Certified Medical Examiners (National Registry), for their use in evaluating interstate commercial motor vehicle (CMV) drivers for a medical qualification determination. Additionally, the MRB will review the Agency's current advisory and exemption program criteria concerning individuals taking anti-seizure medication and identify factors the Agency should consider for potential regulatory actions that would eliminate the need for granting exemptions. The meeting is open to the public for its entirety. The public will be allowed to comment during the proceedings.

DATES: The meeting will be held on Tuesday and Wednesday, September 26–27, 2017, from 9:15 a.m. to 4:30 p.m., Eastern Daylight Time (E.T.), at the FMCSA National Training Center, 1310 N. Courthouse Road, Arlington, VA, 6th Floor. Copies of the task statement and an agenda for the entire meeting will be made available in advance of the meeting at *www.fmcsa.dot.gov/mrb.*

FOR FURTHER INFORMATION CONTACT: Ms. Shannon L. Watson, Senior Advisor to the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366–5221, *mrb@dot.gov.*

Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Eran Segev at (617) 494–3174, *eran.segev@dot.gov,* by Wednesday, September 20.

SUPPLEMENTARY INFORMATION:

I. Background

The MRB is composed of five medical experts who each serve two-year terms. Section 4116 of SAFETEA–LU requires the Secretary of Transportation, with the advice of the MRB and the chief medical examiner, to establish, review, and revise ''medical standards for operators of commercial motor vehicles that will ensure that the physical condition of operators of commercial motor vehicles is adequate to enable them to operate the vehicles safely.'' The MRB operates in accordance with FACA under the terms of its charter, filed November 25, 2015.

On January 15, 2013, FMCSA announced in a Notice of Final Disposition entitled, Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders, (78 FR 3069), its decision to grant requests from 22 individuals for exemptions from the regulatory requirement that interstate CMV drivers have ''no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.'' Since the January 15, 2013, notice, the Agency has published additional notices granting requests from individuals for exemptions from the regulatory requirement regarding epilepsy found in 49 CFR 391.41(b)(8).

In reaching the decision to grant exemption requests, FMCSA considers the 2007 recommendations of the Agency's Medical Expert Panel (MEP). The January 15, 2013, **Federal Register** notice (78 FR 3069) provides the current MEP recommendations, which is the criteria the Agency uses to grant seizure exemptions.

The Agency's decision regarding exemption applications is based on an individualized assessment of each applicant's medical information, including the following: The root cause of the respective seizure(s) and medical information about the applicant's seizure history; the length of time that has elapsed since the individual's last seizure; the stability of each individual's treatment regimen; and the duration of time on or off anti-seizure medication. In addition, the Agency reviews the treating clinician's medical opinion related to the ability of the driver to operate a CMV safely with a history of seizure and each applicant's driving record found in the Commercial Driver's License Information System (CDLIS) for commercial driver's license (CDL) holders, and interstate and intrastate inspections recorded in the Motor Carrier Management Information System (MCMIS). For non-CDL holders, the Agency reviews the driving records from the State Driver's Licensing Agencies (SDLAs).

II. Meeting Participation

Oral comments from the public will be heard during the meeting, at the discretion of the Chairman. Members of the public may submit written comments on the topics to be considered during the meeting by Wednesday, September 20, to Federal Docket Management System (FDMC) Docket Number FMCSA–2008–0362 for the MRB using any of the following methods:

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

Issued on: September 13, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–19906 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0043]

Qualification of Drivers; Exemption Applications; Diabetes Mellitus

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from 31 individuals for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with insulin-treated diabetes mellitus (ITDM) operating a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions would enable these individuals with ITDM to operate CMVs in interstate commerce.

DATES: Comments must be received on or before October 19, 2017.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2017–0043 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.
- *Fax:* 1–202–493–2251.

Instructions: Each submission must include the Agency name and the docket number(s) for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day e.t., 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments online.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the FMCSRs for a two-year period if it finds ''such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption.'' The statute also allows the Agency to renew exemptions at the end of the two-year period.

The 31 individuals listed in this notice have requested an exemption from the diabetes prohibition in 49 CFR 391.41(b)(3). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

The physical qualification standard for drivers regarding diabetes found in 49 CFR 391.41(b)(3) states that a person is physically qualified to drive a CMV if that person:

> Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.

The Agency established the current requirement for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population.

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled ''A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century.'' The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441), **Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

FMCSA notes that section 4129 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users requires the Secretary to revise its diabetes exemption program established on September 3, 2003 (68 FR 52441). The revision must provide for individual assessment of drivers with diabetes mellitus, and be consistent with the criteria described in section 4018 of the Transportation Equity Act for the 21st Century (49 U.S.C. 31305). Section 4129 requires: (1) Elimination of the requirement for three years of experience operating CMVs while being treated with insulin; and (2) establishment of a specified minimum period of insulin use to demonstrate stable control of diabetes before being allowed to operate a CMV.

In response to section 4129, FMCSA made immediate revisions to the diabetes exemption program established by the September 3, 2003 notice. FMCSA discontinued use of the three-year driving experience and fulfilled the requirements of section 4129 while continuing to ensure that operation of CMVs by drivers with ITDM will achieve the requisite level of safety required of all exemptions granted under 49 U.S.C. 31136(e).

Section 4129(d) also directed FMCSA to ensure that drivers of CMVs with ITDM are not held to a higher standard than other drivers, with the exception of limited operating, monitoring and medical requirements that are deemed medically necessary.

The FMCSA concluded that all of the operating, monitoring and medical requirements set out in the September 3, 2003, notice, except as modified, were in compliance with section 4129(d). Therefore, all of the requirements set out in the September 3, 2003, notice, except as modified by the notice in the **Federal Register** on November 8, 2005 (70 FR 67777), remain in effect.

II. Qualifications of Applicants

Valerian J. Ahles

Mr. Ahles, 63, has had ITDM since 2013. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Ahles understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ahles meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Minnesota.

Gabriel P. Aranda

Mr. Aranda, 54, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Aranda understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Aranda meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Idaho.

Herbert M. Boggs, Sr.

Mr. Boggs, 56, has had ITDM since 2012. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Boggs understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Boggs meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Virginia.

Samuel D. Chadwick

Mr. Chadwick, 65, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Chadwick understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Chadwick meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Michael J. Coopey

Mr. Coopey, 56, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the

assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Coopey understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Coopey meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from New Jersey.

David A. Dworak

Mr. Dworak, 57, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Dworak understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Dworak meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Wisconsin.

Francis G. Gahr

Mr. Gahr, 60, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Gahr understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Gahr meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Pennsylvania.

Robert Giordano

Mr. Giordano, 57, has had ITDM since 2010. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Giordano understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Giordano meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from New Jersey.

John W.E. Haddad

Mr. Haddad, 34, has had ITDM since 2012. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Haddad understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Haddad meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Virginia.

Anthony W. Hartley

Mr. Hartley, 33, has had ITDM since 2013. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Hartley understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hartley meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Maine.

Shay S. Hobbs

Mr. Hobbs, 22, has had ITDM since 2010. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Hobbs understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hobbs meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Alabama.

Jack T. Jaworski

Mr. Jaworski, 22, has had ITDM since 2006. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Jaworski understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Jaworski meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from New York.

Mark E. Jernstad

Mr. Jernstad, 60, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Jernstad understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Jernstad meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Illinois.

Kenneth F. Julius

Mr. Julius, 76, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Julius understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Julius meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

Timothy D. Kinsey

Mr. Kinsey, 39, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Kinsey understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Kinsey meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from South Carolina.

Fred A. Klein

Mr. Klein, 60, has had ITDM since 2012. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Klein understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Klein meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Montana.

Kenneth C. Knighten

Mr. Knighten, 66, has had ITDM since 2000. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Knighten understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Knighten meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Oregon.

Thomas R. Ligman

Mr. Ligman, 63, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Ligman understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ligman meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Pennsylvania.

Richard A. Miller

Mr. Miller, 62, has had ITDM since 1987. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Miller understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Miller meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable proliferative diabetic retinopathy. He holds an operator's license from Pennsylvania.

Thomas J. Miller, Jr.

Mr. Miller, 69, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Miller understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Miller meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from North Carolina.

Danny L. Nelson

Mr. Nelson, 44, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Nelson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Nelson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Massachusetts.

James D. Northum

Mr. Northum, 61, has had ITDM since 2005. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Northum understands diabetes management and monitoring,

has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Northum meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Texas.

Everett M. Ortiz

Mr. Ortiz, 68, has had ITDM since 2014. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Ortiz understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ortiz meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Oregon.

Rodney D. Rexford

Mr. Rexford, 79, has had ITDM since 2012. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Rexford understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Rexford meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New Hampshire.

Daniel L. Richardson, Sr.

Mr. Richardson, 66, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Richardson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Richardson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Maryland.

Michael K. Richardson

Mr. Richardson, 58, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Richardson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Richardson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from South Carolina.

Eliezer Rivera-Nieves

Mr. Rivera-Nieves, 53, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Rivera-Nieves understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Rivera-Nieves meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Connecticut.

Jacob D. Savage

Mr. Savage, 34, has had ITDM since 1996. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Savage understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Savage meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Tennessee.

Jamesha K. Thomas

Ms. Thomas, 27, has had ITDM since 1998. Her endocrinologist examined her in 2017 and certified that she has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. Her endocrinologist certifies that Ms. Thomas understands diabetes management and monitoring has stable control of her diabetes using insulin, and is able to drive a CMV safely. Ms. Thomas meets the requirements of the vision standard at 49 CFR 391.41(b)(10). Her optometrist examined her in 2017 and certified that she does not have diabetic retinopathy. She holds an operator's license from South Carolina.

Stephen M. Ward

Mr. Ward, 67, has had ITDM since 2014. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Ward understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ward meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Massachusetts.

Robert A. Young

Mr. Young, 47, has had ITDM since 2017. His endocrinologist examined him

in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the last five years. His endocrinologist certifies that Mr. Young understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Young meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Tennessee.

III. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated in the date's section of the notice.

IV. Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2017–0043 and click the search button. When the new screen appears, click on the blue ''Comment Now!'' button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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 materials received during the comment period. FMCSA may issue a final determination at any time after the close of the comment period.

V. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2017–0043 and click ''Search.'' Next, click ''Open Docket Folder'' and you will find all documents and comments related to this notice.

Issued on: September 13, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–19911 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2000–7006; FMCSA–2001–9258; FMCSA–2001–9561; FMCSA–2002–11714; FMCSA–2002–13411; FMCSA–2003–14504; FMCSA–2003–15268; FMCSA–2004–17984; FMCSA–2005–20560; FMCSA–2005–21254; FMCSA–2006–26653; FMCSA–2007–2663; FMCSA–2007–27897; FMCSA–2008–0266; FMCSA–2009–0086; FMCSA–2009–0121; FMCSA–2010–0354; FMCSA–2010–0372; FMCSA–2010–0385; FMCSA–2011–0010; FMCSA–2011–0024; FMCSA–2011–0057; FMCSA–2011–0092; FMCSA–2011–0102; FMCSA–2011–0140; FMCSA–2011–0141; FMCSA–2013–0021; FMCSA–2013–0025; FMCSA–2013–0027; FMCSA–2013–0028; FMCSA–2013–0029; FMCSA–2014–0002; FMCSA–2014–0010; FMCSA–2014–0302; FMCSA–2014–0305; FMCSA–2015–0048; FMCSA–2015–0049; FMCSA–2015–0052; FMCSA–2015–0053; FMCSA–2015–0055]

Qualification of Drivers; Exemption Applications; Vision

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 125 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates stated in the discussions below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, 202–366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: *http://www.regulations.gov.*

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* and/or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

II. Background

On July 18, 2017, FMCSA published a notice announcing its decision to renew exemptions for 125 individuals from the vision requirement in 49 CFR 391.41(b)(10) to operate a CMV in interstate commerce and requested comments from the public (82 FR 32919). The public comment period ended on August 17, 2017 and no comments were received.

As stated in the previous notice, FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to drive a CMV if that person:

> Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of

traffic signals and devices showing red, green, and amber.

III. Discussion of Comments

FMCSA received no comments in this preceding.

VI. Conclusion

Based upon its evaluation of the 125 renewal exemption applications and comments received, FMCSA confirms its decision to exempt the following drivers from the vision requirement in 49 CFR 391.41 (b)(10):

As of August 8, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 49 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (65 FR 20245; 65 FR 57230; 66 FR 30502; 66 FR 33990; 66 FR 41654; 67 FR 15662; 67 FR 37907; 67 FR 57266; 67 FR 76439; 68 FR 10298; 68 FR 19598; 68 FR 33570; 68 FR 44837; 69 FR 26206; 69 FR 33997; 69 FR 52741; 69 FR 61292; 70 FR 7545; 70 FR 17504; 70 FR 25878; 70 FR 30997; 70 FR 41811; 71 FR 26601; 71 FR 55820; 71 FR 62147; 72 FR 7812; 72 FR 8417; 72 FR 27624; 72 FR 28093; 72 FR 36099; 72 FR 39879; 72 FR 40362; 72 FR 52419; 73 FR 36955; 73 FR 51689; 73 FR 63047; 74 FR 6211; 74 FR 19267; 74 FR 19270; 74 FR 20253; 74 FR 26461; 74 FR 26466; 74 FR 28094; 74 FR 34395; 74 FR 34630; 75 FR 36779; 75 FR 66423; 75 FR 72863; 75 FR 77492; 76 FR 2190; 76 FR 5425; 76 FR 7894; 76 FR 9856; 76 FR 9865; 76 FR 17481; 76 FR 18824; 76 FR 20076; 76 FR 20078; 76 FR 21796; 76 FR 25762; 76 FR 25766; 76 FR 28125; 76 FR 29024; 76 FR 29026; 76 FR 37168; 76 FR 37173; 76 FR 37885; 76 FR 44652; 77 FR 38384; 77 FR 74273; 78 FR 800; 78 FR 10251; 78 FR 14410; 78 FR 16762; 78 FR 20376; 78 FR 20379; 78 FR 24300; 78 FR 24798; 78 FR 27281; 78 FR 30954; 78 FR 34141; 78 FR 37270; 78 FR 41188; 78 FR 46407; 78 FR 51269; 78 FR 56993; 78 FR 57679; 79 FR 10608; 79 FR 22003; 79 FR 24298; 79 FR 35218; 79 FR 51643; 79 FR 64001; 79 FR 73687; 80 FR 603; 80 FR 12248; 80 FR 15863; 80 FR 16500; 80 FR 18696; 80 FR 22773; 80 FR 25766; 80 FR 26139; 80 FR 26320; 80 FR 29149; 80 FR 29152; 80 FR 31636; 80 FR 31957; 80 FR 33007; 80 FR 35699; 80 FR 36395; 80 FR 36398; 80 FR 37718; 80 FR 45573; 80 FR 48404; 80 FR 48409; 80 FR 48413):

Joel C. Bailey (FL)
James C. Barr (OH)
Johnny A. Bingham (NC)
Ryan L. Brown (IL)
Todd A. Chapman (NC)
Don A. Clymer (PA)
Timothy J. Curran (CA)
Erik R. Davis (GA)
Paul W. Dawson (OH)
Rodney R. Dawson (KY)
Everett A. Doty (AZ)
Timothy H. DuBois (MN)
Raymond C. Favreau (VT)
Thanh V. Ha (CA)
Anthony Hall (LA)
Johnnie L. Hall (MD)
Waylon E. Hall (LA)
Gary D. Hallman (AL)
Dean R. Hawley (NC)
Tommy T. Hudson (VA)
James T. Johnson (KY)
Harry L. Jones (OH)
Cody A. Keys (OK)
David J. Kibble (PA)
Thomas Korycki (NJ)
David C. Leoffler (CO)
Jorge S. Lopez (CA)
Boynton L. Manuel (SC)
James McClure (NC)
Steve J. Morrison (ID)
Daniel R. Murphy (WI)
Tracy J. Omeara (OR)
Armando F. Pederoso Jimenez (MN)
Robert D. Porter (CA)
Raymond Potter (RI)
Scott K. Richardson (OH)
Elvis E. Rogers, Jr. (TX)
Leo D. Roy (NH)
Manuel H. Sanchez (TX)
Jose C. Sanchez-Sanchez (WY)
Tim M. Seavy (IN)
Rick J. Smart (NH)
Sukru Tamirci (NY)
David R. Thomas (AL)
James H. Wallace, Sr. (FL)
Roy J. Ware (GA)
Marcus R. Watkins (TX)
Paul C. Weiss (PA)
James Whiteway (TX)

The drivers were included in one of the following docket numbers: FMCSA–2000–7006; FMCSA–2001–9561; FMCSA–2002–11714; FMCSA–2002–13411; FMCSA–2003–14504; FMCSA–2004–17984; FMCSA–2005–20560; FMCSA–2006–26653; FMCSA–2007–2663; FMCSA–2007–27897; FMCSA–2008–0266; FMCSA–2009–0086; FMCSA–2009–0121; FMCSA–2010–0354; FMCSA–2010–0372; FMCSA–2010–0385; FMCSA–2011–0010; FMCSA–2011–0024; FMCSA–2011–0057; FMCSA–2011–0092; FMCSA–2013–0021; FMCSA–2013–0025; FMCSA–2013–0027; FMCSA–2013–0028; FMCSA–2014–0002; FMCSA–2014–0010; FMCSA–2014–0302; FMCSA–2014–0305; FMCSA–2015–0048; FMCSA–2015–0049; FMCSA–2015–0052. Their exemptions are applicable as of August 8, 2017, and will expire on August 8, 2019.

As of August 10, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following four satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (80 FR 31636; 80 FR 48413):

Donald M. Jenson (SD)
Dennis D. Lesperance (OR)
Dean A. Maystead (MI)
Carl V. Murphy, Jr. (TX)

The drivers were included in one of the following docket numbers: FMCSA–2001–9258; FMCSA–2005–21254. Their exemptions are applicable as of August 10, 2017, and will expire on August 10, 2019.

As of August 12, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following six individuals satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (76 FR 37169; 76 FR 50318; 79 FR 4531; 80 FR 41548):

Danny F. Burnley (KY)
Sean R. Conorman (MI)
Robert E. Graves (NE)
Terrence F. Ryan (FL)
Stephen W. Verrette (MI)
Leslie H. Wylie (ID)

The drivers were included in docket number FMCSA–2011–0140. Their exemptions are applicable as of August 12, 2017, and will expire on August 12, 2019.

As of August 13, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (80 FR 40122; 80 FR 62163):

William D. Cherry (MA)
Pedro Del Bosque (TX)
Anthony C. DeNaples (PA)
Edward Dugue III (NC)
Larry R. Hayes (KS)
Wayne E. Jakob (IL)
Earney J. Knox (MO)
James Smentkowski (NJ)
Neil G. Sturges (NY)
Norman G. Wooten (TX)
Kurt A. Yoder (OH)

The drivers were included in docket number FMCSA–2015–0053. Their exemptions are applicable as of August 13, 2017, and will expire on August 13, 2019.

As of August 15, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (66 FR 30502; 66 FR 41654; 68 FR 37197; 68 FR 44837; 68 FR 48989; 70 FR 41811; 70 FR 42615; 72 FR 40360; 74 FR 34632; 76 FR 49531; 79 FR 4531; 80 FR 44185):

Domenic J. Carassai (NJ)
Bruce E. Hemmer (WI)
Steven P. Holden (MD)
Christopher G. Jarvela (MI)
Brad L. Mathna (PA)
Vincent P. Miller (CA)
Warren J. Nyland (MI)
Dennis M. Prevas (WI)
Wesley E. Turner (TX)
Mona J. Van Krieken (OR)
Paul S. Yocum (IN)

The drivers were included in one of the following docket numbers: FMCSA–2001–9561; FMCSA–2003–15268. Their exemptions are applicable as of August 15, 2017, and will expire on August 15, 2019.

As of August 23, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 21 individuals satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (76 FR 29022; 76 FR 44082; 78 FR 20376; 78 FR 34141; 78 FR 34143; 78 FR 51268; 78 FR 52602):

Twila G. Cole (OR)
Bert A. Damm (MT)
Jeffrey Dauterman (OH)
Brian D. Dowd (MA)
Sonya Duff (IN)
Randy L. Fales (MN)
Marc C. Grooms (MO)
Walter A. Hanselman (IN)
Craig C. Lowry (MT)
Craig M. Mahaffey (OH)
Ricky Nickell (OH)
Freddy H. Pete (NV)
Rickey H. Reeder (TN)
Michael L. Sherum (AL)
Gregory C. Simmons (VA)
Wayne M. Stein (FL)
Eddie B. Strange, Jr. (GA)
Larry A. Tidwell (MO)
Dale A. Torkelson (WI)
John Vanek (MO)
Desmond Waldor (PA)

The drivers were included in one of the following docket numbers: FMCSA–2011–0102; FMCSA–2013–0025; FMCSA–2013–0029. Their exemptions are applicable as of August 23, 2017, and will expire on August 23, 2019.

As of August 25, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 20 individuals satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (80 FR 44188; 80 FR 62161):

Harold D. Albrecht (IL)
Joseph W. Bahr (NJ)
Stephen C. Brueggeman (KY)
Larry O. Cheek (CA)
Louise D. Curtis (FL)
Marvin P. Cusey (MN)
Chris M. DeJong (NM)
Jonathan G. Estabrook (MA)
Robert J. Falanga (FL)
Refugio Haro (IL)
Kevin L. Harrison (TN)
Bruce A. Lloyd (MA)
Duane S. Lozinski (IA)
Keith W. McNabb (ID)
Ronald W. Neujahr (KS)
Lonnie D. Prejean (TX)
Thomas E. Riley (NJ)
John B. Stiltner (KY)
Rick R. Warner (MI)
Theodore A. White (PA)

The drivers were included in docket number FMCSA–2015–0055. Their exemptions are applicable as of August 25, 2017, and will expire on August 25, 2019.

As of August 29, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following three individuals satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (80 FR 44188; 80 FR 62161): James Howard (CA), Ramon Melendez (NJ), Jesse A. Nosbush (MN).

The drivers were included in docket number FMCSA–2015–0055. Their exemptions are applicable as of August 29, 2017, and will expire on August 29, 2019.

In accordance with 49 U.S.C. 31315, each exemption will be valid for two years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

Issued on: September 12, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–19908 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0248]

Hours of Service; YRC Worldwide Inc. Application for an Exemption From Certain Electronic Logging Device Requirements

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of application for exemption; request for comments.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) requests public comment on an application from YRC Worldwide Inc. (YRCW) for an exemption from various provisions of the mandate to use electronic logging devices (ELDs).

DATES: Comments must be received on or before October 19, 2017.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA–2017–0248 using any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the instructions for submitting comments on the Federal electronic docket site.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.
- *Hand Delivery:* Ground Floor, Room W12–140, DOT Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday–Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number for this notice. For detailed instructions on submitting comments and additional information on the exemption process, see the ''Public Participation'' heading below. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the ''Privacy Act'' heading for further information.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* or to Room W12–140, DOT Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

Public participation: The *http://www.regulations.gov* Web site is generally available 24 hours each day, 365 days each year. You may find electronic submission and retrieval help and guidelines under the ''help'' section of the *http://www.regulations.gov* Web site as well as the DOT's *http://*

docketsinfo.dot.gov Web site. If you would like notification that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgment page that appears after submitting comments online.

FOR FURTHER INFORMATION CONTACT: Mike Huntley, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC–PSV, (202) 366–4325, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

SUPPLEMENTARY INFORMATION: YRCW is requesting an exemption (1) to allow an alternative ELD phase-in method for fleets using compliant automatic on-board recording devices (AOBRDs); (2) from the requirement that an ELD automatically record certain data elements upon a duty status change when a driver is not in the vehicle; (3) to allow ELDs to be configured with a special driving mode for yard moves that does not require the driver to re-input yard move status every time the tractor is powered off; and (4) to allow vehicle movements of less than one mile on YRCW property by non-CDL YRCW drivers to be annotated as ''on property—other.'' YRCW believes that the requested temporary exemptions will maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption.

Background

Section 4007 of the Transportation Equity Act for the 21st Century (TEA–21) [Pub. L. 105–178, June 9, 1998, 112 Stat. 401] amended 49 U.S.C. 31315 and 31136(e) to provide authority to grant exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs). On August 20, 2004, FMCSA published a final rule (69 FR 51589) implementing section 4007. Under this rule, FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments and determines whether granting the exemption would likely achieve a level of safety equivalent to or greater than the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)). If the Agency denies the request, it must state the reason for doing so. If the decision is to grant the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which an exemption is granted. The notice must specify the effective period of the exemption (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.315(c) and 49 CFR 381.300(b)).

YRCW Application for Exemption

YRCW is a holding company that, through its operating companies, offers its customers a wide range of transportation services. Its operating companies include YRC Freight (a North American less-than-truckload (LTL) company), and Holland, Reddaway, and New Penn (regional LRL companies). YRCW has applied for an exemption from various provisions of 49 CFR part 395 regarding the use of ELDs. Specifically, YRCW has requested a temporary exemption (1) to allow an alternative ELD phase-in method for fleets using compliant automatic on-board recording devices (AOBRDs); (2) from the requirement that an ELD automatically record certain data elements upon a duty status change when a driver is not in the vehicle; (3) to allow ELDs to be configured with a special driving mode for yard moves that does not require the driver to re-input yard move status every time the tractor is powered off; and (4) to allow vehicle movements of less than one mile conducted on YRCW property by non-CDL YRCW drivers to be annotated as ''on property—other.''

YRCW states that its request is almost identical to an exemption application submitted by United Parcel Service (Ups) regarding the implementation and use of ELDs (see Docket FMCSA–2017–0054), and notes that it filed comments in support of the UPS application on July 7, 2017.

A copy of the application is included in the docket referenced at the beginning of this notice.

Alternative ELD Phase-In Method

Subject to limited exceptions, section 395.8(a)(1)(i) of the FMCSRs requires motor carriers to install and use ELDs that comply with the technical specifications prescribed for those devices no later than December 18, 2017. However, section 395.8(a)(1)(ii) allows a motor carrier that installs, and requires its drivers to use, compliant AOBRDs before the December 18, 2017, compliance date to continue to use those AOBRDs until December 16, 2019, thereby providing a 2-year grandfather period for devices installed prior to the compliance date.

In support of its application, YRCW states:

> Like UPS, current requirements restricting the use of new AOBRDs in the transition period would cause company drivers to operate a ''mixed fleet'' of AOBRDs and ELDs. A ''mixed fleet'' introduces significant training challenges and inefficiencies. Groups of driver employees at terminals lead safety training with guidance from issue experts. As such, in addition to the training challenges highlighted by UPS, under the current rule a ''mixed fleet'' would result in the added complexity of peer-to-peer trainers being responsible for training both AOBRD and ELD systems.
>
> Unlike UPS, YRCW's operating companies currently utilize paper logs. As such, the adoption of electronic logs is the single largest change in recording record of duty status in decades. Many of our drivers are long-tenured and may face challenges in adopting a new system. Since operational flexibility does not allow a driver to be assigned a tractor, a 'mixed fleet'' scenario forces drivers to be trained to use both AOBRD and ELD systems and introduce more complexity, errors, and challenges for all stakeholders.

Based on the above, for YRCW operating companies who plan to operate AOBRDs past December 18, 2017, YRCW requests an exemption from section 395(a)(1)(i) to allow the installation of AOBRDs on new truck tractors delivered to a facility after the December 18, 2017, compliance date, where existing vehicles at that facility are equipped with compliant AOBRDs.

Recording of ELD Data Elements

An ELD is required to automatically record a number of specific data elements at certain events, to include (1) when a driver indicates a change of duty status under section 395.24(b) (see section 395.26(c)), and (2) when an authorized user logs into or out of an ELD (see section 395.26(g)).

In support of its application, YRCW states:

> Similar to UPS, all drivers at YRC Freight, Holland and New Penn and a portion of drivers at Reddaway are covered by collective bargaining agreements. Almost all drivers clock in through an electronic system when they begin their day. Once clocked in they are required to perform non-driving duties as defined by collective bargaining agreements and company policies. As such, YRCW requests the same exemption as stated by UPS in Docket 2017–0054 on behalf of its operating companies.

Based on the above, YRCW requests an exemption from the requirement to record the specific data elements identified in sections 395.26(c) and

395.26(g) if the driver is not in the vehicle when (1) the driver indicates a change of duty status, or (2) an authorized user logs into or out of an ELD, respectively. Instead, to assure accurate recording of on-duty, not driving time, YRCW proposes that it will ''systematically annotate that the driver was performing other work.'' YRCW believes that the proposed exemption ''will have no impact on the recordation of driving time'' as all required vehicle data will be recorded when the driver is in the vehicle, and ''the tractor data that would not be recorded when the driver is not in the vehicle is not relevant to assessing the accurate recordation of 'on-duty, not driving' time.''

Special Driving Mode for Yard Moves

Section 395.28(a) of the FMCSRs permits a motor carrier to configure an ELD to authorize a driver to indicate that the driver is operating a commercial motor vehicle (CMV) under certain special driving categories, including (1) authorized personal use, and (2) and yard moves. Section 395.28(a)(2) requires a driver to select the applicable special driving category on the ELD before the start of the status, and to deselect it when the indicated status ends.

In support of its application, YRCW states:

> Like UPS, almost all drivers for YRCW operating companies are covered by a collective bargaining agreement which sets out a contractual agreement that specifies which categories of drivers may perform certain driving duties such as coupling, uncoupling and moving equipment around company yards. The ability to select a ''yard move'' status will eliminate multiple unnecessary entries. Like UPS, the facilities of YRCW's operating companies maintain posted speed and will be ''geo-fenced.'' YRCW proposes that driving status should be activated once a vehicle reaches 20mph or above and/or exits the facility. In addition to making drivers more efficient, allowing the ''yard move'' status eliminates driver distractions and enables them to focus on safely operating vehicles in the yard.

Based on the above, YRCW requests an exemption from section 395.28(a)(2)(i) to allow its drivers to select ''yard move'' status and remain in that status even if the vehicle's ignition is cycled off and back on. Under the proposed temporary exemption, and assuming that the driver does not go off duty after performing the yard moves, YRCW states that the ELD would switch to a ''driving'' duty status under section 395.24 if (1) the driver inputs ''driving,'' (2) the vehicle exceeds 20 mph, or (3) the vehicle exits the geo-fenced yard.

Vehicle Use by Exempt Employees Operating on UPS Property

Section 395.26(h) of the FMCSRs requires an ELD to automatically record certain data elements when a CMV's engine is powered up or powered down.

In support of its application, YRCW states:

> YRCW operating companies have exempt employees, without commercial driver's licenses, who move vehicles within our company yards for various purposes, including fueling, washing and maintenance. Vehicles will not be equipped with permanently attached ELD or AOBRD systems, nor will these drivers be assigned portable devices. As a result, exempt individuals will not have the ability to input data into an AOBRD or ELD device. As with UPS, these trips are under one mile and move less than 20mph on company property. Based on our similar operational practices and needs, YRCW companies requests the same exemption as requested by UPS, with the understanding that movements in the yard will not be limited to washing and fueling.

Based on the above, YRCW requests an exemption from section 395.26, and proposes to allow an alternative approach to track vehicle usage by certain yard employees on YRCW property. Specifically, YRCW proposes that vehicle usage of less than 1 mile by these exempt employees, conducted entirely on YRCW property, be annotated on an ELD as ''on property—other.'' YRCW states that these miles could be easily identified using geo-fencing and time-card information for road drivers and other employees.

As noted in its application, YRCW believes that each of the requested exemptions will result in substantial operational efficiencies, and will maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemptions.

Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), FMCSA requests public comment from all interested persons on YRCW's application for an exemption from 49 CFR part 395. All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the ''Addresses'' section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Issued on: September 12, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–19909 Filed 9–18–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF THE TREASURY

Bureau of the Fiscal Service

Proposed Collection of Information: List of Data (A) and List of Data (B)

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 Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the form List of Data (A) and List of Data (B).

DATES: Written comments should be received on or before November 20, 2017 to be assured of consideration.

ADDRESSES: Direct all written comments and requests for additional information to Bureau of the Fiscal Service, Bruce A. Sharp, 200 Third Street A4–A, Parkersburg, WV 26106–1328, or *bruce.sharp@fiscal.treasury.gov.*

SUPPLEMENTARY INFORMATION:

Title: List of Data (A) and List of Data (B).

OMB Number: 1530–0061.

Transfer of OMB Control Number: The Financial Management Service (FMS) and Bureau of Public Debt (BPD) have consolidated to become the Bureau of the Fiscal Service (Fiscal Service). Information collection requests previously held separately by FMS and BPD will now be identified by a 1530 prefix, designating Fiscal Service.

Abstract: This information is collected from insurance companies to assist the Treasury Department in determining acceptability of the companies applying for a Certificate of Authority to write or reinsure Federal surety bonds and/or gain recognition as an Admitted Reinsurer.

Current Actions: Revision of a currently approved collection.

Type of Review: Regular.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 30.

Estimated Time per Respondent: 5 hours.

Estimated Total Annual Burden Hours: 150.

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: 1. 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; 2. the accuracy of the agency's estimate of the burden of the collection of information; 3. ways to enhance the quality, utility, and clarity of the information to be collected; 4. 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 5. estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: September 14, 2017.

Bruce A. Sharp,

Bureau Clearance Officer.

[FR Doc. 2017–19877 Filed 9–18–17; 8:45 am]

BILLING CODE 4810–AS–P

DEPARTMENT OF THE TREASURY

Bureau of the Fiscal Service

Proposed Collection of Information: Information Collected Through Investigative Inquiry Forms

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 Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the Investigative Inquiry Forms.

DATES: Written comments should be received on or before November 20, 2017 to be assured of consideration.

ADDRESSES: Direct all written comments and requests for additional information to Bureau of the Fiscal Service, Bruce A. Sharp, 200 Third Street A4–A, Parkersburg, WV 26106–1328, or *bruce.sharp@fiscal.treasury.gov.*

SUPPLEMENTARY INFORMATION:

Title: Investigative Inquiry Forms.

OMB Number: 1530–0060.

Transfer of OMB Control Number: The Bureau of Public Debt (BPD) and Financial Management Service (FMS) have consolidated to become the Bureau of the Fiscal Service (Fiscal Service). Information collection requests previously held separately by BPD and FMS will now be identified by a 1530 prefix, designating Fiscal Service.

Form Number: FS Form 5518—Investigative Request for Personal Information; FS Form 5519—Investigative Request for Law Enforcement Data; FS Form 5520—Investigative Request for Educational Registrar and Dean of Students Records; FS Form 5521—Investigative Request for Employment Data and Supervisor Information.

Abstract: The information is requested while conducting background investigations to provide a general overview of the character and reputation of employees and contractors.

Current Actions: Extension of a currently approved collection.

Type of Review: Regular.

Affected Public: Individuals or Households.

Estimated Number of Respondents: 750.

Estimated Time per Respondent: 10 minutes.

Estimated Total Annual Burden Hours: 125.

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: 1. 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; 2. the accuracy of the agency's estimate of the burden of the collection of information; 3. ways to enhance the quality, utility, and clarity of the information to be collected; 4. 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 5. estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: September 8, 2017.

Bruce A. Sharp,

Bureau Clearance Officer.

[FR Doc. 2017–19876 Filed 9–18–17; 8:45 am]

BILLING CODE 4810–AS–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them. Additionally, OFAC is publishing an update to the identifying information of persons currently included in the list of Specially Designated Nationals and Blocked Persons.

DATES: See **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: *OFAC:* Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Licensing, tel.: 202–622–2480; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490; or the Department of the Treasury's Office of the General Counsel: Office of the Chief Counsel (Foreign Assets Control), tel.: 202–622–2410.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List (SDN List) and additional information concerning OFAC sanctions programs are available on OFAC's Web site (*http://www.treasury.gov/ofac*).

Notice of OFAC Actions

On September 14, 2017, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

Individuals

1. ABOUZAID EL BAYEH, Salime, Paseo de los Virreyes 951–A20, Fraccionamiento Virreyes, Zapopan, Jalisco, Mexico; DOB 28 Nov 1983; POB Guadalajara, Jalisco, Mexico; Gender Female; C.U.R.P. AOBS831128MJCBYL09 (Mexico) (individual) [SDNTK] (Linked To: COMERCIALIZADORA TRADE CLEAR, S.A. DE C.V.; Linked To: GRUPO DE ALTA ESPECIALIDAD FARMACEUTICA, S.A. DE C.V.; Linked To: LOS CUINIS; Linked To: CARTEL DE JALISCO NUEVA GENERACION). Designated pursuant to section 805(b)(3) of the Foreign Narcotics Kingpin Designation Act (Kingpin Act), 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, Abigael GONZALEZ VALENCIA, LOS CUINIS, and CARTEL DE JALISCO NUEVA GENERACION.

2. CORONA ROMERO, Alfonso (a.k.a. ''Chef Poncho Corona''), Jalisco, Mexico; DOB 28 Feb 1965; POB Magdalena, Jalisco, Mexico; Gender Male; R.F.C. CORA–650228–4Q0 (Mexico); C.U.R.P. CORA650228HJCRML06 (Mexico) (individual) [SDNTK] (Linked To: OPERADORA LOS FAMOSOS, S.A. DE C.V.; Linked To: CARTEL DE JALISCO NUEVA GENERACION; Linked To: LOS CUINIS). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, CARTEL DE JALISCO NUEVA GENERACION and LOS CUINIS.

3. CORONA ROBLES, Edgar Alfonso (a.k.a. ''Ponchito Corona''), C. Rejoneador 6811, Col. Hacienda del Tepeyac, Zapopan, Jalisco 45050, Mexico; Ottawa Num. Ext. 1568 Int. 4 y 5, Providencia, Seccion 1A, 2A y 3A, Guadalajara, Jalisco 44630, Mexico; DOB 25 May 1987; POB Magdalena, Jalisco, Mexico; Gender Male; R.F.C. CORE–870525–AHA (Mexico); C.U.R.P. CORE870525HJCRBD04 (Mexico) (individual) [SDNTK] (Linked To: OPERADORA LOS FAMOSOS, S.A. DE C.V.; Linked To: CARTEL DE JALISCO NUEVA GENERACION; Linked To: LOS CUINIS). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, CARTEL DE JALISCO NUEVA GENERACION and LOS CUINIS.

Entities

1. COMERCIALIZADORA TRADE CLEAR, S.A. DE C.V. (a.k.a. BAKE AND KITCHEN), Av. Naciones Unidas 6875, Zapopan, Jalisco 45017, Mexico; Patria No. 1347–1, Col. Mirador del Sol, Zapopan, Jalisco CP 45054, Mexico; Web site *www.bakeandkitchen.com;* R.F.C. CTC140807HHA (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, Abigael GONZALEZ VALENCIA, Jeniffer Beaney CAMACHO CAZARES, and Salime ABOUZAID EL BAYEH.

2. GRUPO DE ALTA ESPECIALIDAD FARMACEUTICA, S.A. DE C.V., Av. Vallarta No. 3133, Col. Vallarta Poniente, Guadalajara, Jalisco 44110, Mexico; Toltecas 3579, Colonia Santa Rita, Zapopan, Jalisco, Mexico; R.F.C. GAE–060123–3TA (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, Salime ABOUZAID EL BAYEH.

3. OPERADORA DE REPOSTERIAS Y RESTAURANTES, S.A. DE C.V., Naciones Unidas 6875 B9C, Virreyes Residencial, Zapopan, Jalisco, Mexico; Folio Mercantil No. 85508 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, Silvia Romina SANCHEZ CARLON.

4. OPERADORA LOS FAMOSOS, S.A. DE C.V. (a.k.a. KENZO SUSHI; a.k.a. OPERADORA LOS FAMOSOS, S.A.P.I. DE C.V.), Calle Ottawa #1568 T, Plaza Fusion Galerias, Colonia Providencia, Guadalajara, Jalisco, Mexico; Av. Providencia 1568, Providencia, Guadalajara, Jalisco 44630, Mexico; Web site *www.kenzosushi.mx;* R.F.C. OFA101214KG1 (Mexico) [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, CARTEL DE JALISCO NUEVA GENERACION and LOS CUINIS.

Additionally, on September 14, 2017, OFAC updated the SDN List for the following persons, whose property and interests in property continue to be blocked under the Kingpin Act.

Individuals

1. CAMACHO CAZARES, Jeniffer Beaney (a.k.a. CAMACHO CAZARES, Jennifer Beaney; a.k.a. CAMACHO CAZAREZ, Jeniffer Beaney), Sendero De Los Olmos 110, Zapopan, Jalisco 45129, Mexico; 4850 ch de la Cote-Saint-Luc, Montreal, Quebec H3W 2H2, Canada; Calle 12 de Diciembre #480, Colonia Chapalita, Zapopan, Jalisco, Mexico; DOB 01 Feb 1979; POB Ahome, Sinaloa, Mexico; C.U.R.P. CACJ790201MSLMZN03 (Mexico) (individual) [SDNTK] (Linked To: AG & CARLON, S.A. DE C.V.; Linked To: GRUPO DIJEMA, S.A. DE C.V.; Linked To: AGRICOLA BOREAL S.P.R. DE R.L.).

2. SANCHEZ CARLON, Silvia Romina, Calle Alberta No. 2166, Fraccionamiento Los Colomos, Guadalajara, Jalisco, Mexico; Av. Balam Kanche Mza. 30, Lote 002, Condominio Playa Car Fase II, Playa del Carmen, Quintana Roo 77710, Mexico; Calle 12 de Diciembre #480, Colonia Chapalita, Zapopan, Jalisco, Mexico; DOB 22 Dec 1986; POB Ahome, Sinaloa, Mexico; R.F.C. SACS–861222–PH0 (Mexico); C.U.R.P. SACS861222MSLNRL04 (Mexico) (individual) [SDNTK] (Linked To: AHOME REAL ESTATE, S.A. DE C.V.; Linked To: CONSULTORIA INTEGRAL LA FUENTE, SOCIEDAD CIVIL; Linked To: INTERCORP LEGOCA, S.A. DE C.V.; Linked To: LA FIRMA MIRANDA, S.A. DE C.V.; Linked To: XAMAN HA CENTER; Linked To: AGRICOLA BOREAL S.P.R. DE R.L.; Linked To: AGRICOLA TAVO S.P.R. DE R.L.; Linked To: DESARROLLO AGRICOLA ORGANICO S.P.R. DE R.L.; Linked To: DESARROLLO AGRICOLA VERDE DE SAYULA S.P.R. DE R.L.).

Entities

1. LAS FLORES CABANAS (a.k.a. CABANAS LAS FLORES), Km 5.4 Carretera Tapalpa—San Gabriel, Tapalpa, Jalisco 49340, Mexico; Web site *www.cabanaslasflores.com* [SDNTK].

2. PLAZA LOS TULES, Av. Naciones Unidas # 6875, Fracc. Vista del Tule, Zapopan, Jalisco, Mexico; Av. Naciones Unidas # 6895, Fracc. Vista del Tule, Zapopan, Jalisco, Mexico [SDNTK].

The listings for these previously designated persons now appear as follows:

Individuals

1. CAMACHO CAZARES, Jeniffer Beaney (a.k.a. CAMACHO CAZARES, Jennifer Beaney; a.k.a. CAMACHO CAZAREZ, Jeniffer Beaney), Sendero De Los Olmos 110, Zapopan, Jalisco 45129, Mexico; 4850 ch de la Cote-Saint-Luc, Montreal, Quebec H3W 2H2, Canada; Calle 12 de Diciembre #480, Colonia Chapalita, Zapopan, Jalisco, Mexico; DOB 01 Feb 1979; POB Ahome, Sinaloa, Mexico; C.U.R.P. CACJ790201MSLMZN03 (Mexico) (individual) [SDNTK] (Linked To: AG & CARLON, S.A. DE C.V.; Linked To: GRUPO DIJEMA, S.A. DE C.V.; Linked To: AGRICOLA BOREAL S.P.R. DE R.L.; Linked To: COMERCIALIZADORA TRADE CLEAR, S.A. DE C.V.).

2. SANCHEZ CARLON, Silvia Romina, Calle Alberta No. 2166,

Fraccionamiento Los Colomos, Guadalajara, Jalisco, Mexico; Av. Balam Kanche Mza. 30, Lote 002, Condominio Playa Car Fase II, Playa del Carmen, Quintana Roo 77710, Mexico; Calle 12 de Diciembre #480, Colonia Chapalita, Zapopan, Jalisco, Mexico; DOB 22 Dec 1986; POB Ahome, Sinaloa, Mexico; R.F.C. SACS–861222–PH0 (Mexico); C.U.R.P. SACS861222MSLNRL04 (Mexico) (individual) [SDNTK] (Linked To: AHOME REAL ESTATE, S.A. DE C.V.; Linked To: CONSULTORIA INTEGRAL LA FUENTE, SOCIEDAD CIVIL; Linked To: INTERCORP LEGOCA, S.A. DE C.V.; Linked To: LA FIRMA MIRANDA, S.A. DE C.V.; Linked To: XAMAN HA CENTER; Linked To: AGRICOLA BOREAL S.P.R. DE R.L.; Linked To: AGRICOLA TAVO S.P.R. DE R.L.; Linked To: DESARROLLO AGRICOLA ORGANICO S.P.R. DE R.L.; Linked To: DESARROLLO AGRICOLA VERDE DE SAYULA S.P.R. DE R.L.; Linked To: OPERADORA DE REPOSTERIAS Y RESTAURANTES, S.A. DE C.V.).

Entities

1. LAS FLORES CABANAS (n.k.a. CABANAS LA LOMA; a.k.a. CABANAS LAS FLORES), Km 5.4 Carretera Tapalpa—San Gabriel, Tapalpa, Jalisco 49340, Mexico; Web site *www.cabanaslasflores.com* [SDNTK].

2. PLAZA LOS TULES (a.k.a. PLAZA VIRREYES), Av. Naciones Unidas # 6875, Fracc. Vista del Tule, Zapopan, Jalisco, Mexico; Av. Naciones Unidas # 6895, Fracc. Vista del Tule, Zapopan, Jalisco, Mexico; Web site *www.plazavirreyes.com* [SDNTK].

Dated: September 14, 2017.

John E. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2017–19891 Filed 9–18–17; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

Veterans' Family, Caregiver, and Survivor Advisory Committee, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act that the Veterans' Family, Caregiver, and Survivor Advisory Committee will meet on October 23–24, 2017. The meeting will be held in the Sonny Montgomery Conference Room 230 at 810 Vermont Ave NW., Washington, DC 20420. Both sessions will begin at 9:00 a.m. (EST) each day. The session on October 23 will adjourn at approximately 5:00 p.m. The session on the October 24 will adjourn at approximately 2:00 p.m. The meetings are open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on matters related to: Veterans' families, caregivers, and survivors across all generations, relationships, and Veterans status; the use of VA care and benefits services by Veterans' families, caregivers, and survivors, and possible expansion of such care and benefits services; Veterans' family, caregiver, and survivor experiences; VA policies, regulations, and administrative requirements related to the transition of Servicemembers from the Department of Defense (DoD) to enrollment in VA that impact Veterans' families, caregivers, and survivors; and factors that influence access to, quality of, and accountability for services and benefits for Veterans' families, caregivers, and survivors.

On October 23 and October 24, the agenda will include information briefings from the three VA Administrations and special program offices, as well as opening remarks from VA senior leaders including the Chief Veterans Experience Officer and the Committee Chair. Committee members will also discuss the committee work plan and future activities. Public comments will be received at 9:00 a.m. on October 24, 2017.

Individuals wishing to speak should contact Laureen Barone at *laureen.barone@va.gov* and are requested to submit a 1–2 page summary of their comments for inclusion in the official meeting record. In the interest of time, each speaker will be held to a 5 minute time limit.

Because the meeting is being held in a government building, a photo I.D. must be presented at the Guard's Desk as a part of the clearance process. To prevent delays, you should allow an additional 30 minutes before the meeting begins to clear security. If you are interested in attending, please submit your name to Ms. Laureen Barone by October 19, 2017 to help expedite the security clearance process. Any member of the public seeking additional information should contact Ms. Barone at (716) 834–9200 extension 5350 or at *laureen.barone@va.gov.*

Dated: September 14, 2017.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2017–19896 Filed 9–18–17; 8:45 am]

BILLING CODE P

FEDERAL REGISTER

Vol. 82 Tuesday,

No. 180 September 19, 2017

Part II

The President

Notice of September 18, 2017—Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism

Federal Register
Vol. 82, No. 180
Tuesday, September 19, 2017

Presidential Documents

Title 3—

The President

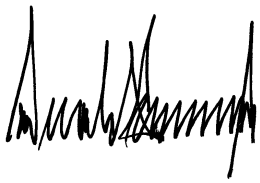
Notice of September 18, 2017

Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism

On September 23, 2001, by Executive Order 13224, the President declared a national emergency with respect to persons who commit, threaten to commit, or support terrorism, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks against United States nationals or the United States.

The actions of persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 13224 of September 23, 2001, and the measures adopted on that date to deal with that emergency, must continue in effect beyond September 23, 2017. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to persons who commit, threaten to commit, or support terrorism declared in Executive Order 13224.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
September 18, 2017.

[FR Doc. 2017–20127
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