expense or delay. The agency may change this proposal in light of the comments it receives.

B. Availability of Rulemaking Documents

An electronic copy of rulemaking documents may be obtained from the Internet by—

1. Searching the Federal eRulemaking Portal (http://www.regulations.gov);
2. Visiting the FAA’s Regulations and Policies Web page at http://www.faa.gov/regulations_policies or

Copies may also be obtained by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9680. Commenters must identify the docket number or notice number of this rulemaking.

All documents the FAA considered in developing this proposed rule, including economic analyses and technical reports, may be accessed from the Internet through the Federal eRulemaking Portal referenced in item (1) above.

Issued under authority provided by 49 U.S.C. 106(f), 44701(a), and 44703 in 

http://www.regulations.gov

1. Visiting the FAA’s Regulations and Policies Web page at http://www.faa.gov/regulations_policies or

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–136018–13]

RIN 1545–BM20

Determination of Adjusted Applicable Federal Rates Under Section 1288 and the Adjusted Federal Long-Term Rate Under Section 382; Hearing Cancellation

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Cancellation of a notice of public hearing on proposed rulemaking.

SUMMARY: This document cancels a public hearing on proposed regulations that provide the method to be used to adjust the applicable Federal rates (AFRs) under section 1288 of the Internal Revenue Code (adjusted AFRs) for tax-exempt obligations and the method to be used to determine the long-term tax-exempt and the adjusted Federal long-term rate under section 382.

DATES: The public hearing originally scheduled for June 24, 2015 at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Oluwafunmilayo Taylor of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 317–6901 (not a toll-free number).

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking and a notice of public hearing that appeared in the Federal Register on Monday, March 2, 2015 (80 FR 11141) announced that a public hearing was scheduled for June 24, 2015, at 10 a.m. in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, DC. The subject of the public hearing is under sections 382, 483, 1273, and 1288 of the Internal Revenue Code.

The public comment period for these regulations expired on June 1, 2015. The notice of proposed rulemaking and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of June 8, 2015, no one has requested to speak. Therefore, the public hearing scheduled for June 24, 2015 at 10 a.m. is cancelled.

Martin V. Franks,
Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration). [FR Doc. 2015–14623 Filed 6–12–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

[Docket No. USPC–2015–01]

Paroling, Reccommitting, and Supervising Federal Prisoners: Prisoners Serving Sentences Under the United States and District of Columbia Codes


ACTION: Notice of proposed rulemaking.

SUMMARY: The United States Parole Commission proposes to revise its rules for determining whether a prisoner who was sentenced under the D.C. Code and committed their offense before March 3, 1985 is suitable for release on parole. For these cases, the Commission will apply the regulations of the former District of Columbia Board of Parole that were effective before March 1985. Prisoners who are serving D.C. Code sentences and who committed their offense before March 3, 1985 would be considered under the proposed regulation at their next regularly scheduled hearing or, if they have not yet received a parole hearing, at their initial parole hearing.

DATES: Submit comments on or before August 14, 2015.

ADDRESSES: Submit your comments, identified by docket identification number USPC–2015–01 by one of the following methods:


3. Fax: (202) 357–1083.

FOR FURTHER INFORMATION CONTACT: Office of the General Counsel, U.S. Parole Commission, 90 K Street NE., Washington, DC 20530, telephone (202) 346–7030. Questions about this publication are welcome, but inquiries concerning individual cases cannot be answered over the telephone.

SUPPLEMENTARY INFORMATION: The U.S. Parole Commission is responsible for making parole release decisions for District of Columbia felony offenders who are eligible for parole. D.C. Code section 24–131(a). The Commission took over this responsibility on August 5, 1998 as a result of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Pub. L. 105–33). The Commission immediately promulgated regulations to implement its new duties, including parole policy guidelines at 28 CFR 2.80. 63 FR 39172–39183 (July 21, 1998). In promulgating the decision-making guidelines, the Commission used the basic approach and format of the 1987 guidelines of the District of Columbia Board of Parole, but made modifications to the Board’s guidelines in an effort to incorporate factors that led to departures from the guidelines. 63 FR 39172–39174. In 2000, the Commission modified the guidelines for D.C. prisoners, creating suggested ranges of months to be served based on the pre- and post-incarceration factors evaluated under the guidelines, which in turn allowed the Commission to extend presumptive parole dates to prisoners...
up to three years from the hearing date. 65 FR 45885–45903.

Also in 2000, the U.S. Supreme Court
decided the case of Garner v. Jones, 529 U.S. 244 (2000), indicating that parole
rules that allow for the use of
discretionary judgment may still come
within the proscription of the Ex Post Facto Clause of the Constitution. For
over twenty years, federal appellate
courts had rejected claims that the
Commission’s use of discretionary
guidelines for parole release decisions
violated the constitutional ban against ex post facto laws. As a result of the
Supreme Court’s decision in Garner, the
U.S. Court of Appeals for the District of Columbia Circuit held that parole
release guidelines may constitute laws
that are covered by the Ex Post Facto Clause. Fletcher v. District of Columbia, 391 F.3d 250 (D.C. Cir. 2004) (Fletcher II). Following upon the Fletcher II
decision and the decision in Fletcher v. Reilly, 433 F.3d 867 (D.C. Cir. 2006)
(Fletcher III), the U.S. District Court for
the District of Columbia (Huvelle, District Judge) held that the Parole
Commission’s application of its 2000
other prisoner-plaintiffs were denied
relief by the district court, which
showed that not every D.C. prisoner
must be reconsidered under the 1987
guidelines to avoid ex post facto problems. In response to this decision, the
Commission promulgated a rule
calling for application of the 1987 D.C. Board Guidelines to any offender who
committed his crime between March 4, 1985 (the effective date of the “1987
Guidelines”), and August 4, 1998 (the
last day the D.C. Board exercised parole
release authority) (“Sellmon Rule”). 74 FR 34688 (July 17, 2009) (interim rule,
effective August 17, 2009) and 28 CFR 2.80(o) (November 13, 2009) (final rule).

Since the Sellmon decision, prisoner-
plaintiffs who committed their offenses
before March 1985 have sought to have
the D.C. Courts make a similar decision
with regard to the regulations that the
former D.C. Board of Parole
promulgated in 1972 and were in effect
when they committed their offenses.
Because of the broad discretion to grant parole which was vested in the D.C.
Board of Parole under the 1972
regulations, federal courts have not
found that Commission’s use of its
revised guidelines violates the Ex Post Facto Clause. However, the Parole
Commission has decided to reconsider
its use of the 2000 regulations in light
of the progression of cases involving ex post facto claims and parole guidelines.

If a prisoner has been previously
granted a presumptive parole date under
the Commission’s guidelines at § 2.80(b)
through (m), the presumptive date will
not be rescinded unless the Commission
would rescind the date for one of the
accepted bases for such action, i.e., new
criminal conduct, new institutional
misconduct, or new adverse
information.

Executive Order 13132

These proposed regulations will not
have substantial direct effects on the
States, on the relationship between the
national government and the States, or
on the distribution of power and
responsibilities among the various
levels of government. Under Executive
Order 13132, these proposed rules do
not have sufficient federalism
implications requiring a Federalism
Assessment.

Regulatory Flexibility Act

These proposed rules will not have a significant economic impact upon a
substantial number of small entities
within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

Unfunded Mandates Reform Act of 1995

These proposed rules will not cause
State, local, or tribal governments, or
the private sector, to spend $100,000,000 or
more in any one year, and it will not
significantly or uniquely affect small
governments. No action under the
Unfunded Mandates Reform Act of 1995
is necessary.

Small Business Regulatory Enforcement Fairness Act of 1996 (Subtitle E—
Congressional Review Act)

These proposed rules are not “major
rules” as defined by Section 804 of the
Small Business Regulatory Enforcement Fairness Act of 1996 Subtitle E—
Congressional Review Act, now codified at 5 U.S.C. 804(2). The proposed rules
will not result in an annual effect on the
economy of $100,000,000 or more; a
major increase in costs or prices; or
significant adverse effects on the ability of United States-based companies to
compete with foreign-based companies.
Moreover, these are rules of agency
practice or procedure that do not
substantially affect the rights or
obligations of non-agency parties, and
do not come within the meaning of the
term “rule” as used in Section
804(5)(C), now codified at 5 U.S.C.
804(5)(C). Therefore, the reporting
requirement of 5 U.S.C. 801 does not apply.

List of Subjects in 28 CFR Part 2

Administrative practice and
procedure, Prisoners, Probation and
Parole.

The Proposed Rules

Accordingly, the U.S. Parole
Commission proposes to adopt the
following amendment to 28 CFR part 2:

PART 2—PAROLE, RELEASE,
SUPERVISION AND RECOMMITTMENT OF PRISONERS, YOUTH OFFENDERS,
AND JUVENILE DELINQUENTS

1. The authority citation for 28 CFR
part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and
4204(a)(6).

2. Amend § 2.80 by revising paragraph
(a)(5) to read as follows:

§ 2.80 Guidelines for D.C. Code offenders.

(a) * * *

(5) A prisoner who committed the
offense of conviction before March 3, 1985 who is not incarcerated as a parole
violator and has not been granted a
parole effective date may receive a
parole determination using the 1972
regulations of the former District of
Columbia Board of Parole (9 DCMR
105.1):

(i) Factors considered. Among others,
the Commission takes into account
some of the following factors in making
its determination as to parole:

(A) The offense, noting the nature of
the violation, mitigating or aggravating
circumstances and the activities and
adjustment of the offender following
arrest if on bond or in the community
under any pre-sentence type
arrangement.

(B) Prior history of criminality noting
the nature and pattern of any prior
offenses as they may relate to the
current circumstances.

(C) Personal and social history of the
offender, including such factors as his
family situation, educational
development, socialization, marital
history, employment history, use of
leisure time and prior military
experience, if any.

(D) Physical and emotional health
and/or problems which may have
played a role in the individual’s
socialization process, and efforts made
to overcome any such problems.

(E) Institutional experience, including
information as to the offender’s overall
general adjustment, his ability to handle
interpersonal relationships, his behavior
responses, his planning for himself,
setting meaningful goals in areas of
academic schooling, vocational
education or training, involvements in
self-improvement activity and therapy and his utilization of available resources to overcome recognized problems. Achievements in accomplishing goals and efforts put forth in any involvements in established programs to overcome problems are carefully evaluated.

(F) Community resources available to assist the offender with regard to his needs and problems, which will supplement treatment and training programs begun in the institution, and be available to assist the offender to further serve in his efforts to reintegrate himself back into the community and within his family unit as a productive useful individual.

(ii) If a prisoner has been previously granted a presumptive parole date under the Commission’s guidelines at § 2.80(b) through (m), the presumptive date will not be rescinded unless the Commission would rescind the date for one of the accepted bases for such action, i.e., new criminal conduct, new institutional misconduct, or new adverse information.

(iii) Prisoners who have previously been considered for parole under the 1987 guidelines of the former D.C. Board of Parole will continue to receive consideration under those guidelines.

Dated: June 3, 2015.

J. Patricia Wilson Smoot,
Acting Chairman, U.S. Parole Commission.

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

30 CFR Part 250

[Docket ID: BSEE–2014–0002; 14XE1700DX EX1SF0000.DAQ000 EEEE50000]

RIN 1014–AA13

Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Update of Incorporated Cranes Standard

AGENCY: Bureau of Safety and Environmental Enforcement (BSEE), Interior.

ACTION: Proposed rule.

SUMMARY: BSEE proposes to incorporate by reference the Seventh Edition of the American Petroleum Institute (API) Specification 2C (Spec. 2C), “Offshore Pedestal Mounted Cranes” (2012), into its regulations. The Seventh Edition of API Spec. 2C revised many aspects of the standard for design and construction of cranes manufactured since the Seventh Edition took effect in October 2012. The intent of proposing to incorporate this revised standard into BSEE regulations is to improve the safety of cranes mounted on fixed platforms that are installed on the Outer Continental Shelf (OCS). This proposed rule would require that all cranes that lessors or operators mount on any fixed platforms after the effective date of the final rule comply with the Seventh Edition of API Spec. 2C.

DATES: Submit comments by July 15, 2015. BSEE may not fully consider comments received after this date.

ADDRESSES: You may submit comments on the proposed rulemaking by any of the following methods. Please use the Regulation Identifier Number (RIN) 1014–AA13 as an identifier in your comments. BSEE may post all submitted comments, in their entirety, at: www.regulations.gov. See Public Participation and Availability of Comments.

1. Federal eRulemaking Portal: www.regulations.gov. In the search box, enter “BSEE—2014–0002,” then click search. Follow the instructions to submit public comments and view supporting and related materials available for this rulemaking.

2. Mail or hand-carry comments to the Department of the Interior (DOI); Bureau of Safety and Environmental Enforcement; ATTN: Regulations and Participation Branch; 45600 Woodland Road, Mail Code VAE–ORP; Sterling, Virginia 20166. Please reference “Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Update of Cranes Standard, 1014–AA13,” in your comments and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Kelly Odom, BSEE, Regulations and Standards Branch, 703–787–1775, email address: regs@bsee.gov.

SUPPLEMENTARY INFORMATION:

Executive Summary

As required by law, BSEE regulates oil and gas exploration, development and production operations on the OCS. Among other purposes, BSEE’s regulations seek to prevent injury, loss of life, as well as damage to property, natural resources, and the environment. BSEE incorporates by reference in its regulations many oil and gas industry standards in order to require compliance with those standards in offshore operations.

Currently, BSEE’s regulations require that all cranes on any fixed platform that was installed on the OCS after March 17, 2003, as well as all cranes manufactured after March 17, 2003 and installed (i.e., mounted) on any fixed platform (regardless of when the platform was installed on the OCS), meet the requirements of the Sixth Edition of API Specification 2C, “Offshore Pedestal Mounted Cranes” (2004). In 2012, API adopted the Seventh Edition of API Spec. 2C, which extended the standard to more types of cranes and made significant improvements to the standard for design, manufacture and testing of cranes in areas such as gross overload (e.g., from supply boat entanglement), consideration of duty cycles (including intensity and frequency of crane use), structural design, and wire rope design.

BSEE has determined that incorporation of the Seventh Edition of API Spec. 2C would improve safety and help prevent injury as well as damage to property. Thus, BSEE proposes to amend its existing regulations by incorporating the Seventh Edition of API Spec. 2C and, thus, to require that any cranes that lessors or operators mount—after the effective date of the final rule—on any fixed platforms meet the requirements of that standard. BSEE also proposes to add a definition of “Fixed Platform” to the regulations, consistent with the Sixth and Seventh Editions of API Spec. 2C as well as with related API standards and BSEE regulations.

BSEE’s Functions and Authority

BSEE promotes safety, protects the environment, and conserves offshore oil and gas resources through vigorous regulatory oversight and enforcement. BSEE derives its authority primarily from the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1331–1356a. Congress enacted OCSLA in 1953, establishing Federal control over the OCS and authorizing the Secretary of the Interior (Secretary) to regulate oil and natural gas exploration, development, and production operations on the OCS. The Secretary has authorized BSEE to perform these functions (see 30 CFR 250.101).

To carry out its responsibilities, BSEE regulates exploration, development and production of oil and natural gas on the OCS to enhance safety and environmental protection in a way that reflects advancements in technology and new information. In addition to developing and implementing such regulatory requirements, BSEE collaborates with standards development organizations and the international community to develop and revise safety and environmental standards, which BSEE may incorporate into its regulatory program. BSEE also conducts onsite inspections to ensure