

# Proposed Rules

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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 COMMERCE

### International Trade Administration

#### 19 CFR Part 351

[Docket No. 140929814-4814-01]

RIN 0625-AB02

#### Correction to Applicability Date for Modification of Regulations Regarding Price Adjustments in Antidumping Duty Proceedings

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Commerce (the Department) proposes to modify the applicability date contained in the final rule published in the **Federal Register** on March 24, 2016, *Modification of Regulations Regarding Price Adjustments in Antidumping Duty Proceedings*, 81 FR 15641, and is seeking comments from parties. The original applicability date language did not convey the Department's intention, *i.e.*, to apply the newly amended regulation to all segments of proceedings initiated on or after the effective date contained in the **Federal Register** notice. This action is necessary to ensure that there is no ambiguity in the application of the modified regulations.

**DATES:** To be assured of consideration, written comments must be received no later than July 5, 2016.

**ADDRESSES:** All comments must be submitted through the Federal eRulemaking Portal at <http://www.regulations.gov>, Docket No. ITA-2016-003, unless the commenter does not have access to the internet. Commenters that do not have access to the internet may submit the original and one electronic copy on CD-ROM of each set of comments by mail or hand delivery/courier. All comments should be addressed to Paul Piquado, Assistant Secretary for Enforcement &

Compliance, Room 18022, Department of Commerce, 14th Street and Constitution Ave. NW., Washington, DC 20230. Comments submitted directly to the Department will be uploaded to the eRulemaking Portal at [www.Regulations.gov](http://www.Regulations.gov).

The Department will consider all comments received before the close of the comment period. All comments responding to this notice will be a matter of public record and will be available on the Federal eRulemaking Portal at [www.Regulations.gov](http://www.Regulations.gov). The Department will not accept comments accompanied by a request that part or all of the material be treated confidentially because of its business proprietary nature or for any other reason.

Any questions concerning file formatting, document conversion, access on the Internet, or other electronic filing issues should be addressed to Moustapha Sylla, Enforcement and Compliance Webmaster, at (202) 482-4685, email address: [webmaster-support@ita.doc.gov](mailto:webmaster-support@ita.doc.gov).

**FOR FURTHER INFORMATION CONTACT:** Jessica Link at (202) 482-1411.

**SUPPLEMENTARY INFORMATION:** On March 24, 2016, the Department published a final rule in the **Federal Register** modifying 19 CFR 351.102(b)(38) and 19 CFR 351.401(c). *Modification of Regulations Regarding Price Adjustments in Antidumping Duty Proceedings*, 81 FR 15641 (March 24, 2016) (Final Rule). The Dates section of the Final Rule states: "*Effective date:* April 25, 2016. *Applicability date:* This rule will apply to all proceedings initiated on or after April 25, 2016."

The applicability date does not convey the Department's intention, *i.e.*, to apply the newly amended regulations to all segments of proceedings initiated on or after the effective date of the Final Rule. Although "proceedings" can be interpreted generally to include any segment of an administrative case before Enforcement and Compliance that is initiated on or after the effective date, "proceeding" and "segment of proceeding" are defined separately in 19 CFR 351.102(b)(40) and 19 CFR 351.102(b)(47), respectively. To avoid any ambiguity and to clarify the Department's intent, the applicability date is being modified such that the Final Rule will apply to segments of

proceedings initiated on or after 30 days following the publication date of the final rule that results from this rulemaking. As the prior applicability date was not included in the modified regulations, 19 CFR 351.102(b)(38) and 19 CFR 351.401(c), the Department is not proposing to amend its regulations. The only change to the Final Rule being addressed in this proposed rule and request for comment is a change to the applicability date of the Final Rule. In addition, because the Department is merely clarifying its intent with respect to the applicability date of the Final Rule, and is not altering the substance of the Final Rule in any way, we are providing parties with 15 days to comment on this proposed rule.

Although one commenter commented on the effective date of the Final Rule, that comment related to which entries would be subject to the Final Rule. We disagreed with the commenter that it would be unfair to apply the rule to entries made prior to the effective date of the Final Rule. 81 FR at 15645. We addressed the entry comment but inadvertently failed to ensure that the applicability date read "segments of proceedings" rather than "proceedings" in the Final Rule.

#### Classification

##### *Executive Order 12866*

It has been determined that this proposed rule is not significant for purposes of Executive Order 12866.

##### *Paperwork Reduction Act*

This proposed rule contains no new collection of information subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

##### *Executive Order 13132*

This proposed rule does not contain policies with federalism implications as that term is defined in section 1(a) of Executive Order 13132, dated August 4, 1999 (64 FR 43255 (August 10, 1999)).

##### *Regulatory Flexibility Act*

The Chief Counsel for Regulation has certified to the Chief Counsel for Advocacy of the Small Business Administration under the provisions of the Regulatory Flexibility Act, 5 U.S.C. 605(b), that this proposed rule would not have a significant economic impact on a substantial number of small business entities. This proposed rule

merely corrects the applicability date of the Final Rule, *Modification of Regulations Regarding Price Adjustments in Antidumping Duty Proceedings*, 81 FR 15641 (March 24, 2016), which entailed a substantive change in the Department’s regulations, and for which it was determined that there would be no significant economic impact on a substantial number of small entities. As a result, this proposed correction of the applicability date of the Final Rule similarly would not have a significant economic impact on a substantial number of small entities. For this reason, an Initial Regulatory Flexibility Analysis is not required and one has not been prepared.

Dated: June 13, 2016.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2016-14427 Filed 6-17-16; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**25 CFR Part 15**

**43 CFR Part 30**

[167A2100DD/AAKC001030/AOA501010.999900 253G]

**Probate Regulation Updates**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Tribal consultation.

**SUMMARY:** The Department of the Interior (“Department”) plans to conduct two Tribal consultation sessions with federally recognized Tribes across the country. These meetings will provide a forum for Tribes to share insights and make recommendations related to the probate of Indian estates.

**DATES:** Written comments must be received by August 1, 2016. Please see the **SUPPLEMENTARY INFORMATION** section of this notice for dates of Tribal consultation sessions.

**ADDRESSES:** You may submit comments by one of the following methods:

- *Email:* [consultation@bia.gov](mailto:consultation@bia.gov).
- *By hard copy:* Submit by U.S. mail or hand delivery to: Ms. Elizabeth Appel, Office of Regulatory Affairs and Collaborative Action, U.S. Department of the Interior, 1849 C Street NW., MS-3071-MIB, Washington, DC 20240.

Please see the **SUPPLEMENTARY INFORMATION** section of this notice for information on the Tribal consultation sessions.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Appel, Director, Office of Regulatory Affairs and Collaborative Action, Office of the Assistant Secretary—Indian Affairs; telephone (202) 273-4680, [elizabeth.appel@bia.gov](mailto:elizabeth.appel@bia.gov).

**SUPPLEMENTARY INFORMATION:**

**Tribal Consultation Sessions**

The Department will be hosting two Tribal consultation sessions by teleconference. Tribes were notified of these consultation sessions by letter on June 8, 2016. The sessions are:

Date	Time (eastern time)	Location
Tuesday, July 12, 2016 .....	2:00 p.m.–4:00 p.m .....	Call-in Number: (800) 857-7479 Passcode: 6543434
Wednesday, July 13, 2016 .....	2:00 p.m.–4:00 p.m .....	Call-in Number: (800) 857-7479 Passcode: 6543434

The Department will also be hosting a listening session on Monday, June 27, in Spokane, Washington, in conjunction with the National Congress of American Indians mid-year conference. The Department will accept written comments received by the date listed in the **DATES** section of this notice.

As described below, we have identified three areas for modification that will have an immediate impact in streamlining the probate process. We are seeking comments with regard to the following topics, and welcome insight on other aspects of the probate regulatory framework that could be improved.

**Probate Revisions Currently Under Consideration**

*1. Increasing the Monetary Limit for Distribution of IIM Account Funds to Pay for Funeral Services From \$1,000 to \$5,000*

The regulation, at 25 CFR 15.301 currently establishes a monetary limit of \$1,000 for distribution of Individual Indian Money (IIM) account funds to pay for funeral expenses. There is an ongoing concern that \$1,000 is not sufficient to pay for funeral expenses.

While individuals may submit funeral related claims to be paid from estate account funds at any time before the conclusion of the first hearing by the Office of Hearings and Appeals (OHA), the Bureau of Indian Affairs (BIA) is aware that family members sometimes suffer financial hardship and lengthy delays as the estate is finalized and claims are approved.

Revisions under consideration:

- The BIA is considering a modification to this subpart that would increase the amount of funds available to use for funeral expenses. One proposed modification would amend current regulations by increasing the amount an individual may request from the decedent’s IIM to no more than \$5,000 for funeral expenses. The account must still contain a minimum balance of \$2,500 in order to approve an expense under this section.

- In the interests of preserving estate account funds for heirs and other claimants, an alternative option would be to likewise raise the maximum payout to \$5,000, *but* with the limitation that the total payments could not exceed 40% of the available account balance.

*2. Allowing BIA To Make Minor Estate Inventory Corrections*

The current regulation, at 43 CFR 30.126, requires a judge to issue a modification order if trust or restricted property belonging to a decedent is omitted from the inventory of an estate. As a result, it can take significant time to make minor estate inventory corrections to include omitted property.

Revision under consideration:

- The BIA is considering a regulatory modification to grant the BIA the authority to make estate inventory modifications when heirship has already been determined by an OHA order. The BIA would notify all interested parties to an estate in the event property interests were to be added. As in this current regulatory section, any modification that would result in property taking a different line of descent would still require OHA issuing a decision to re-determine heirs. For example, if adding property to a decedent’s estate would cause that interest to become 5% or more of the parcel, and thus no longer subject to the American Indian Probate Reform Act’s highly fractionated interest provisions, OHA would need to issue a new