

- Integrated Partnership and Communications Working Group Report

Dated: September 22, 2016.

**John H. Thompson,**

*Director, Bureau of the Census.*

[FR Doc. 2016-23670 Filed 9-29-16; 8:45 am]

**BILLING CODE 3510-07-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 2013]

#### Reorganization and Expansion of Foreign-Trade Zone 214 Under Alternative Site Framework; Lenoir County, North Carolina

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Board adopted the alternative site framework (ASF) (15 CFR Sec. 400.2(c)) as an option for the establishment or reorganization of zones;

*Whereas*, the North Carolina Department of Transportation, grantee of Foreign-Trade Zone 214, submitted an application to the Board (FTZ Docket B-20-2016, docketed April 13, 2016) for authority to reorganize and expand under the ASF with a service area of the Counties of Pender, New Hanover, Brunswick, Duplin, Columbus, Bladen, Robeson, Beaufort, Pitt, Hyde, Onslow, Jones, Craven, Pamlico, Lenoir, Carteret, Wilson, Edgecombe, Nash, Wayne, Greene and Cumberland, within and adjacent to the Wilmington, Morehead City and Raleigh-Durham Customs and Border Protection ports of entry. FTZ 214's existing Sites 1, 5, 6 (as modified) and 7 would be categorized as magnet sites and Sites 2, 3 and 4 would be categorized as usage-driven sites, and the grantee proposes three additional magnet sites (Sites 8, 9 and 10);

*Whereas*, notice inviting public comment was given in the **Federal Register** (81 FR 23456-23457, April 21, 2016) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied provided that inclusion of Robeson County in the service area is limited to the portion of the county east of Interstate 95 (I-95);

*Now, therefore*, the Board hereby orders:

The application to reorganize and expand FTZ 214 under the ASF is approved, with the service area described above (*i.e.*, inclusion of Robeson County in the service area is limited to the portion of the county east of I-95), subject to the FTZ Act and the Board's regulations, including Section 400.13, to the Board's standard 2,000-acre activation limit for the zone, to ASF sunset provisions for magnet sites that would terminate authority for Sites 1, 7, 8, 9 and 10 if not activated within five years from the month of approval and for Sites 5 and 6 if not activated within the initial ten years from the month of approval, and to an ASF sunset provision for usage-driven sites that would terminate authority for Sites 2, 3 and 4 if no foreign-status merchandise is admitted for a *bona fide* customs purpose within three years from the month of approval.

Dated: September 15, 2016.

**Paul Piquado,**

*Assistant Secretary of Commerce for Enforcement and Compliance, Alternate Chairman, Foreign-Trade Zones Board.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[Docket No. 160713610-6783-02]

RIN 0625-XC020

#### Cost Recovery Fee Schedule for the EU-U.S. Privacy Shield Framework

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Final notice of implementation of a cost recovery program fee.

**SUMMARY:** The Department of Commerce published the Cost Recovery Fee Schedule for the EU-U.S. Privacy Shield Framework on July 22, 2016 (81 FR 47752). We gave interested parties an opportunity to comment on the fee schedule. No comments were received and so the fee schedule is considered final until further review one year after implementation of the program. Consistent with the guidelines in OMB Circular A-25,<sup>1</sup> the U.S. Department of Commerce's International Trade Administration (ITA) has implemented a cost recovery program fee to support the operation of the EU-U.S. Privacy

<sup>1</sup> [https://www.whitehouse.gov/omb/circulars\\_a025](https://www.whitehouse.gov/omb/circulars_a025).

Shield Framework (Privacy Shield), which requires that U.S. organizations pay an annual fee to ITA in order to participate in the Privacy Shield. The cost recovery program supports the administration and supervision of the Privacy Shield program and supports the provision of Privacy Shield-related services, including education and outreach. The Privacy Shield fee schedule was effective on August 1, 2016, when ITA began accepting self-certifications under the Privacy Shield Framework.

**DATES:** This fee schedule was effective August 1, 2016.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information regarding the EU-U.S. Privacy Shield Framework should be directed to Grace Harter, Department of Commerce, International Trade Administration, Room 20001, 1401 Constitution Avenue NW, Washington, DC, tel. 202-482-4936 or 202-482-1512 or via email at [privacyshield@trade.gov](mailto:privacyshield@trade.gov). Additional information on ITA fees is available at [trade.gov/fees](http://trade.gov/fees).

#### SUPPLEMENTARY INFORMATION:

##### Background

Consistent with the guidelines in OMB Circular A-25, federal agencies are responsible for implementing cost recovery program fees.

The role of ITA is to strengthen the competitiveness of U.S. industry, promote trade and investment, and ensure fair trade through the rigorous enforcement of our trade laws and agreements. ITA works to promote privacy policy frameworks to facilitate the flow of data across borders to support international trade.

The United States and the European Union (EU) share the goal of enhancing privacy protection but take different approaches to protecting personal data. Given those differences, the Department of Commerce (DOC) developed the Privacy Shield in consultation with the European Commission, as well as with industry and other stakeholders, to provide organizations in the United States with a reliable mechanism for personal data transfers to the United States from the European Union while ensuring the protection of the data as required by EU law.

In July 2016, the European Commission approved the EU-U.S. Privacy Shield Framework. The published Privacy Shield Principles are available at: [insert link]. The DOC has issued the Privacy Shield Principles under its statutory authority to foster, promote, and develop international commerce (15 U.S.C. 1512). ITA will

administer and supervise the Privacy Shield, including by maintaining and making publicly available an authoritative list of U.S. organizations that have self-certified to the DOC. U.S. organizations submit information to ITA to self-certify their compliance with Privacy Shield. ITA will accept self-certification submissions beginning on August 1, 2016. At a future date, ITA will publish for public notice and comment information collections as described in the Privacy Shield Framework consistent with the Paperwork Reduction Act.

U.S. organizations considering self-certifying to the Privacy Shield should review the Privacy Shield Framework. In summary, in order to enter the Privacy Shield, an organization must (a) be subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC) or the Department of Transportation; (b) publicly declare its commitment to comply with the Principles through self-certification to the DOC; (c) publicly disclose its privacy policies in line with the Principles; and (d) fully implement them.

Self-certification to the DOC is voluntary; however, an organization's failure to comply with the Principles after its self-certification is enforceable under Section 5 of the Federal Trade Commission Act prohibiting unfair and deceptive acts in or affecting commerce (15 U.S.C. 45(a)) or other laws or regulations prohibiting such acts.

ITA has implemented a cost recovery program to support the operation of the Privacy Shield, which requires U.S. organizations to pay an annual fee to ITA in order to participate in the program. The cost recovery program supports the administration and supervision of the Privacy Shield program and supports the provision of Privacy Shield-related services, including education and outreach. The fee a given organization is charged is based on the organization's annual revenue:

**Fee Schedule**

**EU-U.S. PRIVACY SHIELD FRAMEWORK COST RECOVERY PROGRAM**

Organization's annual revenue	Annual fee
\$0 to \$5 million .....	\$250
Over \$5 million to \$25 million ...	650
Over \$25 million to \$500 million	1,000
Over \$500 million to \$5 billion ..	2,500
Over \$5 billion .....	3,250

Organizations will have additional direct costs associated with

participating in the Privacy Shield. For example, Privacy Shield organizations must provide a readily available independent recourse mechanism to hear individual complaints at no cost to the individual. Furthermore, organizations are required to pay contributions in connection with the arbitral model, as described in Annex I to the Principles.

**Method for Determining Fees**

ITA collects, retains, and expends user fees pursuant to delegated authority under the Mutual Educational and Cultural Exchange Act as authorized in its annual appropriations acts.

The EU-U.S. Privacy Shield Framework was developed to provide organizations in the United States with a reliable mechanism for personal data transfers that underpin the trade and investment relationship between the United States and the EU.

Fees are set taking into account the operational costs borne by ITA to administer and supervise the Privacy Shield program. The Privacy Shield program requires a significant commitment of resources and staff. The Privacy Shield Framework includes commitments from ITA to:

- Maintain a Privacy Shield Web site;
- verify self-certification requirements submitted by organizations to participate in the program;
- expand efforts to follow up with organizations that have been removed from the Privacy Shield List;
- search for and address false claims of participation;
- conduct periodic compliance reviews and assessments of the program;
- provide information regarding the program to targeted audiences;
- increase cooperation with EU data protection authorities;
- facilitate resolution of complaints about non-compliance;
- hold annual meetings with the European Commission and other authorities to review the program, and
- provide an update of laws relevant to Privacy Shield.

In setting the Privacy Shield fee schedule, ITA determined that the services provided offer special benefits to an identifiable recipient beyond those that accrue to the general public. ITA calculated the actual cost of providing its services in order to provide a basis for setting each fee. Actual cost incorporates direct and indirect costs, including operations and maintenance, overhead, and charges for the use of capital facilities. ITA also took into account additional factors, including

adequacy of cost recovery, affordability, and costs associated with alternative options available to U.S. organizations for the receipt of personal data from the EU.

ITA established a 5-tiered fee schedule that promotes the participation of small organizations in Privacy Shield. A multiple-tiered fee schedule allows ITA to offer the organizations with lower revenue a lower fee. In setting the 5 tiers, ITA considered, in conjunction with the factors mentioned above: (1) The Small Business Administration's guidance on identifying SMEs in various industries most likely to participate in the Privacy Shield, such as computer services, software and information services; (2) the likelihood that small companies would be expected to receive less personal data and thereby use fewer government resources; and (3) the likelihood that companies with higher revenue would have more customers whose data they process, which would use more government resources dedicated to administering and overseeing Privacy Shield. For example, if a company holds more data it could reasonably produce more questions and complaints from consumers and the European Union's Data Protection Authorities (DPAs). ITA has committed to facilitating the resolution of individual complaints and to communicating with the FTC and the DPAs regarding consumer complaints. Lastly, the fee increases between the tiers are based in part on projected program costs and estimated participation levels among companies within each tier.

**Conclusion**

Based on the information provided above, ITA believes that its Privacy Shield cost recovery fee schedule is consistent with the objective of OMB Circular A-25 to "promote efficient allocation of the nation's resources by establishing charges for special benefits provided to the recipient that are at least as great as the cost to the U.S. Government of providing the special benefits . . ." OMB Circular A-25(5)(b). ITA did not receive any public comments on the interim final rule it published on July 22, 2016 (PUT IN FR CITE) and is not revising the fee schedule at this time. ITA will reassess the fee schedule after the first year of implementation and, in accordance with OMB Circular A-25, at least every two years thereafter.

Dated: September 20, 2016.

**Edward M. Dean,**

*Deputy Assistant Secretary for Services,  
International Trade Administration, U.S.  
Department of Commerce.*

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**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XE891

#### Fishing Capacity Reduction Program for the Pacific Coast Groundfish Fishery

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

**ACTION:** Notice of sub-loan repayment.

**SUMMARY:** NMFS issues this notice to inform interested parties that the California Pink Shrimp sub-loan in the Pacific Coast Groundfish Capacity Reduction (Buyback) Program has been repaid. Therefore, Buyback fee collections on California Pink Shrimp sub-loan will cease for all landings after August 31, 2016.

**DATES:** Comments must be submitted on or before 5 p.m. EST October 17, 2016.

**ADDRESSES:** Send comments about this notice to Paul Marx, Chief, Financial Services Division, NMFS, Attn: California Pink Shrimp Buyback, 1315 East-West Highway, Silver Spring, MD 20910 (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:**

Michael A. Sturtevant at (301) 427-8799 or [Michael.A.Sturtevant@noaa.gov](mailto:Michael.A.Sturtevant@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On November 16, 2004, NMFS published a proposed rule in the **Federal Register** (69 FR 67100) proposing to implement an industry fee system for repaying the California Pink Shrimp Buyback sub-loan. The final rule was published July 13, 2005 (70 FR 40225) and fee collection began on September 8, 2005. Interested persons should review these for further program details.

The California Pink Shrimp Buyback sub-loan in the amount of \$674,202.18 will be repaid in full upon receipt of buyback fees on landings through August 31, 2016. NMFS has received \$1,182,214.57 to repay the principal and interest on this sub-loan since fee collection began September 8, 2005. Based on Buyback fees received to date, landings after August 31, 2016, will not be subject to the Buyback fee. Therefore,

Buyback fees will no longer be collected in the California Pink Shrimp fishery on future landings.

Buyback fees not yet forwarded to NMFS for California Pink Shrimp landings through August 31, 2016, should be forwarded to NMFS immediately. Any overpayment of Buyback fees submitted to NMFS will be refunded on a pro-rata basis to the fish buyers based upon best available fish ticket landings data. The fish buyers should return excess Buyback fees collected to the harvesters, including Buyback fees collected but not yet remitted to NMFS for landings after August 31, 2016. Any discrepancies in fees owed and fees paid must be resolved immediately. After the sub-loan is closed, no further adjustments to fees paid and fees received can be made.

Dated: September 26, 2016.

**Brian T. Pawlak,**

*CFO/Director, Office of Management and Budget, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### U.S. Integrated Ocean Observing System (IOOS®) Advisory Committee

**AGENCY:** National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** Notice is hereby given of a meeting of the U.S. Integrated Ocean Observing System (IOOS®) Advisory Committee (Committee) in Seattle, WA and La Push, WA.

**DATES:** The meeting will be held on Tuesday, October 11, 2016, from 9:00 a.m. to 12:00 p.m. in Seattle, WA. The meeting will continue in La Push, WA on Wednesday, October 12, 2016, from 9:00 a.m.–5:00 p.m., and Thursday October 13, 2016 from 9:00 a.m.–2:30 p.m. These times and the agenda topics described below are subject to change. Refer to the Web page listed below for the most up-to-date meeting agenda.

**ADDRESSES:** On Tuesday, October 11 the meeting will be held in the Hardisty Conference Room, 6th floor, Henderson Hall, University of Washington Applied Physics Laboratory, 1013 NE 40th Street, Seattle, WA 98105. On Wednesday and Thursday, October 12–13 the meeting will be held at the Quileute Tribal Administration

Building, 90 Main Street, La Push, WA 98350.

**FOR FURTHER INFORMATION CONTACT:**

Jessica Snowden, Designated Federal Official, U.S. IOOS Advisory Committee, U.S. IOOS Program, 1315 East-West Highway, Second Floor, Silver Spring, MD 20910; Phone 240-533-9466; Fax 301-713-3281; Email [jessica.snowden@noaa.gov](mailto:jessica.snowden@noaa.gov) or visit the U.S. IOOS Advisory Committee Web site at <http://www.ioos.noaa.gov/advisorycommittee>.

**SUPPLEMENTARY INFORMATION:** The Committee was established by the NOAA Administrator as directed by Section 12304 of the Integrated Coastal and Ocean Observation System Act, part of the Omnibus Public Land Management Act of 2009 (Pub. L. 111-11). The Committee advises the NOAA Administrator and the Interagency Ocean Observation Committee (IOOC) on matters related to the responsibilities and authorities set forth in section 12302 of the Integrated Coastal and Ocean Observation System Act of 2009 and other appropriate matters as the Under Secretary refers to the Committee for review and advice.

The Committee will provide advice on:

(a) Administration, operation, management, and maintenance of the System;

(b) expansion and periodic modernization and upgrade of technology components of the System;

(c) identification of end-user communities, their needs for information provided by the System, and the System's effectiveness in dissemination information to end-user communities and to the general public; and

(d) any other purpose identified by the Under Secretary of Commerce for Oceans and Atmosphere or the Interagency Ocean Observation Committee.

The meeting will be open to public participation with a 15-minute public comment period on October 11, 2016, from 11:45 a.m. to 12:00 p.m., on October 12, 2016, from 4:30 p.m. to 4:45 p.m., and on October 13, 2016 from 2:00 p.m. to 2:15 p.m. (check agenda on Web site to confirm time.) The Committee expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of three (3) minutes. Written comments should be received by the Designated Federal Official by October 7, 2016 to provide sufficient time for Committee review.