

Appendix 3—Statement of Commissioner J. Christopher Giancarlo

I support this commonsense decision that it is not in the public interest to allow private lawsuits against electric utilities trading in wholesale energy markets.

Two months ago, I visited a construction site for a state-of-the-art electric power plant in my home state of New Jersey. The facility was being built to withstand future weather events like Superstorm Sandy. The power it will produce will serve millions of local residents.

Without today's practical decision, power utilities across the country may have hesitated or delayed building such new power plants because of the regulatory uncertainty and costs associated with private litigation—costs that surely would be passed on to millions of ratepayers throughout the country.

As I have observed, preserving the Section 22 private right of action is not necessary in these heavily regulated markets.¹ Both the CFTC and the FERC have the authority to seek redress for the claims of private persons who raise meritorious allegations of fraud or manipulation.

I am heartened that the Commission now agrees and has concluded, with today's action, that allowing private lawsuits is not in the public interest.

It is just commonsense.

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DEPARTMENT OF DEFENSE

Department of the Army

Army Education Advisory Subcommittee Meeting Notice

AGENCY: Department of the Army, DoD.

ACTION: Notice of open Subcommittee meeting.

SUMMARY: The Department of the Army is publishing this notice to announce the following Federal advisory committee meeting of the Defense Language Institute Foreign Language Center Board of Visitors, a subcommittee of the Army Education Advisory Committee. This meeting is open to the public.

¹ See Notice of Proposed Amendment to and Request for Comment on the Final Order in Response to a Petition From Certain Independent System Operators and Regional Transmission Organizations To Exempt Specified Transactions Authorized by a Tariff or Protocol Approved by the Federal Energy Regulatory Commission or the Public Utility Commission of Texas From Certain Provisions of the Commodity Exchange Act Pursuant to the Authority Provided in the Act, 81 FR 30245, 30254-55 (May 16, 2016) (Statement of Dissent by Commissioner J. Christopher Giancarlo); J. Christopher Giancarlo, Op-Ed, *Unneeded mandate would hurt N.J. consumers*, The Record, Aug. 18, 2016, available at <http://www.northjersey.com/opinion/opinion-guest-writers/unneeded-mandate-would-hurt-n-j-consumers-1.1647129>.

DATES: The Defense Language Institute Foreign Language Center (DLIFLC) Board of Visitors Subcommittee will meet from 8:00 a.m. to 5:00 p.m. on December 7 and from 09:30 a.m. to 5:00 p.m. on December 8, 2016.

ADDRESSES: Defense Language Institute Foreign Language Center, 891 Elkridge Road, Linthicum Heights, MD 21090.

FOR FURTHER INFORMATION CONTACT: Mr. Detlev Kesten, the Alternate Designated Federal Officer for the subcommittee, in writing at Defense Language Institute Foreign Language Center, ATFL-APAS, Bldg. 634, Presidio of Monterey, CA 93944, by email at detlev.kestev@dliflc.edu, or by telephone at (831) 242-6670.

SUPPLEMENTARY INFORMATION: The subcommittee meeting is being held under the provisions of the Federal Advisory Committee Act of 1972 (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.

Purpose of the Meeting: The purpose of the meeting is to provide the subcommittee with briefings and information focusing on the Institute's plan to implement a comprehensive leadership development plan for its faculty and staff and to present updates to the curriculum. The subcommittee will also receive an update on the Institute's accreditation and will address administrative matters.

Proposed Agenda: December 7—The subcommittee will receive briefings associated with DLIFLC's leadership development goals and curriculum updates and the Institute's actions in supporting said goal. The subcommittee will be updated on the Institute's on going self-study to reaffirm its academic accreditation. The subcommittee will complete administrative procedures and appointment requirements. December 8—The subcommittee will have time to discuss and compile observations pertaining to agenda items. General deliberations leading to provisional findings will be referred to the Army Education Advisory Committee for deliberation by the Committee under the open-meeting rules.

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, this meeting is open to the public. Seating is on a first to arrive basis. Attendees are requested to submit their name, affiliation, and daytime phone number fourteen business days prior to the meeting to Mr. Kesten, via electronic mail, the preferred mode of submission, at the address listed in the

FOR FURTHER INFORMATION CONTACT section. Members of the public attending the subcommittee meetings will not be permitted to present questions from the floor or speak to any issue under consideration by the subcommittee.

Because the meeting of the subcommittee will be held in a Federal Government facility, security screening is required. A photo ID is required to enter the facility. Please note that security and gate guards have the right to inspect vehicles and persons seeking to enter and exit the installation. The facility is fully handicap accessible. Wheelchair access is available at the main entrance of the building. For additional information about public access procedures, contact Mr. Kesten, the subcommittee's Alternate Designated Federal Officer, at the email address or telephone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

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 subcommittee, in response to the stated agenda of the open meeting or in regard to the subcommittee's mission in general. Written comments or statements should be submitted to Mr. Kesten, the subcommittee Alternate Designated Federal Officer, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. Each page of the comment or statement must include the author's name, title or affiliation, address, and daytime phone number. The Alternate Designated Federal Official will review all submitted written comments or statements and provide them to members of the subcommittee for their consideration. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the Alternate Designated Federal Official at least seven business days prior to the meeting to be considered by the subcommittee. Written comments or statements received after this date may not be provided to the subcommittee until its next meeting.

Pursuant to 41 CFR 102-3.140d, the Subcommittee is not obligated to allow a member of the public to speak or otherwise address the Subcommittee during the meeting. Members of the public will be permitted to make verbal comments during the Committee meeting only at the time and in the manner described below. 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 seven business days in advance to the subcommittee's Alternate Designated Federal Official, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. The Alternate Designated Federal Official will log each request, in the order received, and in consultation with the Subcommittee Chair, determine whether the subject matter of each comment is relevant to the Subcommittee's mission and/or the topics to be addressed in this public meeting. A 15-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 above, will be allotted no more than three minutes during the period, and will be invited to speak in the order in which their requests were received by the Alternate Designated Federal Official.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE

Department of the Army

Update to the 30 July 2013 Military Freight Traffic Unified Rules Publication (MFTURP) No. 1

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: The Military Surface Deployment and Distribution Command (SDDC) is providing notice that it is releasing an updated MFTURP No. 1.

DATES: The update will be effective on October 24, 2016.

ADDRESSES: Submit comments to SDDC, G35, Transportation Policy, Process and Systems Branch, 1 Soldier Way, Building 1900W, ATTN: SDDC-AMSSD-OPT, Scott AFB 62225. Request for additional information may be sent by email to: usarmy.scott.sddc.mbx.g3-transportation-rules@mail.mil.

FOR FURTHER INFORMATION CONTACT: usarmy.scott.sddc.mbx.g3-transportation-rules@mail.mil.

SUPPLEMENTARY INFORMATION: Reference: Military Freight Traffic Unified Rules

Publications (MFTURP) No. 1. Background: The MFTURP No. 1 governs the purchase of surface freight transportation in the Continental United States (CONUS) by DoD using Federal Acquisition Regulation (FAR) exempt transportation service contracts. Miscellaneous: This publication, as well as the other SDDC publications, can be accessed via the SDDC Web site at: <http://www.sddc.army.mil/GCD/default.aspx>.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2016-OS-0105]

Proposed Collection; Comment Request

AGENCY: Defense Finance and Accounting Service (DFAS), DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Defense Finance and Accounting Service (DFAS) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: 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; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology. **DATES:** Consideration will be given to all comments received by December 23, 2016.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket

number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at <http://www.regulations.gov> for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Finance and Accounting Service (DFAS), 555 E. 88th Street, Bldg 10, Bratenahl, OH 44108-1068. ATTN: Craig Maddox, System Manager, myPay, (216) 204-2744 or craig.s.maddox.civ@mail.mil.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: DFAS myPay Web Application, 0730-TBD.

Needs and Uses: The information collection requirement is necessary for DFAS to provide financial support to its customer base that opts to use the DFAS myPay Web Application for self-service management of their personnel financial pay accounts.

Affected Public: Individuals and households.

Annual Burden Hours: 300,175 hours.

Number of Respondents: 1,200,698.

Responses per Respondent: 1 (average).

Annual Responses: 1,200,698.

Average Burden per Response: 15 minutes.

Frequency: On occasion—respondents complete as needed.

Respondents are DFAS customers who are military retirees, annuitants of military retirees, and former spouses of military retirees. These customers use the DFAS myPay Web Application as a means of self-service management of their DFAS myPay financial pay account. Online self-service transactions include the following:

- Name Changes
- Correspondence Address Changes
- Payment Address Changes
- Allotment Changes
- Beneficiary for Arrears Changes
- Direct Deposit Changes
- Federal Tax Withholding Changes